The City Council of the City of Raleigh met in regular session on Thursday, November 3, 1983, at 1:00 p.m. in the City Council Chambers of the Municipal Building with the following present:

Mayor York, Presiding
Ms. Babb
Mr. Calloway
Mr. Edwards
Mr. Jordan
Mr. Keller
Mr. Walters
Mr. Upchurch

Mayor York called the meeting to order and invocation was rendered by the Rev. David C. Huffman, Pastor of Trinity Presbyterian Church, after which the following matters were discussed with action taken as shown:

RECOGNITION OF SPECIAL AWARDS

PERSONNEL - KAY FISH - RECOGNIZED

Mayor York called on Kay Fish of the Parks and Recreation Department and read a letter indicating Ms. Fish has received the North Carolina Special Olympics Coordinator of the Year Award for 1982-83. Mayor York indicated he knows that Ms. Fish does an outstanding job as he has participated, at her invitation, in some of her events. He congratulated Ms. Fish and presented her with a City of Raleigh necklace.

PROCLAMATION - DISABLED AMERICAN VETERANS FORGET-ME-NOT DAYS

Mayor York read a proclamation proclaiming the week November 7 through 12 as Disabled American Veterans Forget-Me-Not Days. The proclamation was received by Billy Carroll, Commander, DAV-1.

PROCLAMATION - FOUNDERS' HONOR ROLL - RECEIVED

Mayor Pro Tem Walters indicated seven people from the City of Raleigh attended the 75th anniversary of the North Carolina League of Municipalities in Asheville at the first of the week. He indicated the City of Raleigh was presented a proclamation as it was one of the 23 original cities participating in the first North Carolina League of Municipalities meeting 75 years ago. Mayor Pro Tem Walters indicated City Manager Zachary was replaced on the Board of Directors of the League as his term has expired and he was not eligible for reappointment. He indicated the Mayor of Fuquay was appointed to replace City Manager Zachary from our district and Mr. Upchurch was appointed as an At-Large Board of Director. Mayor York accepted the proclamation and expressed appreciation with it being agreed that the proclamation will be appropriately framed and placed in the Council office.

CONSENT AGENDA

CONSENT AGENDA - APPROVED AS AMENDED

Mayor York presented the Consent Agenda indicating all items are considered to be routine and may be enacted by one motion. If a Councillor requests discussion on an item, the item will be removed from the Consent Agenda and considered separately. The vote on the Consent Agenda will be a roll call vote.

Mayor York requested that the budget amendment relating to the Fayetteville Street Mall be withdrawn. Mr. Calloway requested that the transfer in the Human Resources - CETA program be withdrawn. Without objection, these two items were withdrawn. Mr. Upchurch moved Administration's recommendations on the remaining items on the Consent Agenda be upheld. His motion was seconded by Mr. Walters and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

The items on the Consent Agenda were as follows:

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION/RALEIGH/GARNER/CARY/WAKE COUNTY - MEMORANDUM OF UNDERSTANDING - APPROVED

The Department of Transportation recommends that the City Council approve and authorize the Mayor to sign an updated Memorandum of Understanding covering transportation planning between NCDOT/ Raleigh/Cary/ Garner/Wake County.

There is an existing May, 1975, Memorandum of Understanding between the various local governments and the Board of Transportation for the Raleigh/Cary/Garner planning area. NCDOT has proposed that this Memorandum of Understanding be brought up-to-date by including references to current pertinent Federal regulations on transportation planning. The proposed agreement is not substantively different from the agreement of May, 1975.

Recommendation: Approval is recommended. Consent Agenda approval - Upchurch/ Walters - 8 ayes.

RESOLUTION NO. (1983) 384

RESOLUTION PASSED BY
THE CITY COUNCIL OF THE CITY OF
RALEIGH, NORTH CAROLINA

The following resolution was offered by Councilman Upchurch and seconded by Councilman Walters and upon being put to a vote was carried unanimously on the 3rd day of November, 1983:

THAT WHEREAS, it is recognized that the proper movement of travel within and through the Raleigh-Cary-Garner Urban Area is a highly desirable element of a comprehensive plan for the orderly growth and development of the area; and

WHEREAS, there are a number of governmental jurisdictions within the Raleigh-Cary-Garner Area which have been authorized implementation and regulatory responsibilities for transportation by North Carolina General Statutes; and

WHEREAS, it is desirable that a coordinated, comprehensive, and cooperative transportation planning process be maintained in the Raleigh-Cary-Garner Urban Area to insure that the transportation system is maintained on an efficient and economical basis commensurate with the public health, safety, and welfare; and

WHEREAS, a revised Memorandum of Understanding between the City of Raleigh, Town of Cary, Town of Garner, County of Wake, and North Carolina Department of Transportation has been prepared that sets forth the responsibilities and working arrangements for maintaining a continuing, comprehensive, and cooperative transportation planning process; and

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA

That the Memorandum of Understanding between the City of Raleigh, Town of Cary, Town of Garner, County of Wake, and North Carolina Board of Transportation, draft date June 27, 1983, be approved and that the Mayor and City Clerk are hereby directed to execute the Memorandum of Understanding.

I, Gail G. Smith, Clerk of the City of Raleigh, North Carolina, do hereby certify that the above is a true and correct copy of excerpts from the minutes of the City Council of said City.

WITNESS my hand and the official seal of the City of Raleigh this the 4th day of November, 1983.

ATTEST (SEAL)

/s/ Gail G. Smith
Clerk

SANITARY SEWER EASEMENT - C. L. MILLER PROPERTY - CITY AUTHORIZED TO ACQUIRE

This is a request to acquire a sanitary sewer easement to serve the C. L. Miller property. The subject property is located inside the City limits between Huntleigh Drive and Pine Knoll Drive and needs sewer service. The easement would be generally located along an existing storm drainage easement that runs between Lots 25 and 26 on Huntleigh Drive. A map will be available at the Council Meeting.

Recommendation: It is recommended that Council authorize the City to acquire the needed sanitary sewer easement. Consent Agenda approval - Upchurch/Walters - 8 ayes.

STREET CLOSING - BELLEVUE DRIVE - RESOLUTION OF INTENT ADOPTED

The City Council has been petitioned to close an extension of Bellevue Drive, located on the west side of Turnbridge Drive.

The right-of-way on the site is unimproved and has no utilities located within the area. We have not received any negative comments from the reviewing agencies concerning the closing of this right-of-way.

Recommendation: It is recommended that the City Council adopt a Resolution of Intent to close the subject right-of-way and set a public hearing on this matter for December 6, 1983. Consent Agenda approval - Upchurch/Walters - 8 ayes.

RESOLUTION NO. (1983) 377

A RESOLUTION OF INTENT TO CONSIDER CLOSING AN EXTENSION OF BELLEVUE DRIVE RIGHT-OF-WAY AS DESCRIBED HEREIN AND DIRECTING NOTICE OF PUBLIC HEARING

WHEREAS, the City Council of the City of Raleigh, North Carolina, pursuant to North Carolina General Statute 160A-299, intends to close permanently the following street right-of-way:

BEING the southernmost extension of Bellevue Drive located between Tax Parcels 494 and 493 on Wake County Tax Map No. 435. Said Right-of-Way being 50' in width and 200' in depth and is unimproved.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA:

Section 1. That the section of the street referred to above is intended to be closed permanently.

Section 2. That a public hearing will be held on Tuesday, December 20, 1983, in the Council Chamber, Room 315, Municipal Building, Raleigh, North Carolina, at 7:00 p.m., or as soon thereafter as the matter can be reached.

Section 3. That a copy of this resolution be mailed by certified mail to all owners of lots abutting on the above named street.

Section 4. That a copy of this resolution be published in a daily newspaper in the City of Raleigh once a week for four consecutive weeks.

Adopted: November 3, 1983

TAXICAB OWNERS' PERMITS - APPROVED ON THE SECOND AND FINAL READING

The Agenda indicated during the October 18, 1983, Council Meeting various applications for franchise renewals and individual owners' permits were approved with the understanding that they would be placed on this Agenda for second and final consideration.

Franchise Renewals:

Henry Benjamin Murray, Southern Cab Company
Irvin Eugene Doggett, Strop Taxi Company, Inc.
Melvin Griffin, Sr., Prestigest Limousine Service
Johnnie Jones, Jr., Raleigh Courtesy Limousine Service
Lonnie Lymon Wilder, Acme Cab Company
Walter Saunders Boone, Boone Taxi Company
William Eldridge Blalock, Blue Diamond Cab Company
James Snellings, Esquire Cab Company

Individual Owners' Permits:

Blue Diamond Cab Company

Norman Lee Mickens
Walter Hill, III
Charles Whitley Bobbitt
Lanis Merritt Fowler

Esquire Cab Company

Woodrow Wilson Tabb, Sr. (Renewal)

Consent Agenda approval - Upchurch/Walters - 8 ayes.

TAXICAB OWNERS' PERMITS - APPROVED ON FIRST CONSIDERATION - TO BE PLACED ON NOVEMBER 15, 1983, AGENDA

Applications have been received from the following to operate a taxi. The applications have been checked and meet the requirements of Section 12-2053 of the City Code. Approval is recommended. If approved, these applications will be placed on the Council Agenda on November 15, 1983, for second and final consideration.

The following applications are for Franchise Renewals:

Boaz Odhiambo, Research Triangle Taxi/Transfer Company
Willie Dixon, Dixon's Cab Company
Daniel L. Hooker, United Cab Company
William Thompson, Associated Cab Company
George G. Mburu, Safeway Taxicab Company
Mrs. Johnsie D. Sherman, City Taxi Company
Luther J. Norton and Avery Donald Lee, Airline Taxi Company
Mrs. Claudette Sutton, Tri-City Express Taxi Company

Malachi Wilkins, Triangle Cab Company
Allen Willis, Sr., Rainbow Cab Company
L. W. Murray, Jr., American Cab Company
Ones E. Polk, Polk Limousine Service

The following applications are for Individual Owner's Permits:

Dixon's Cab Company
Samuel Jackson (Renewal)
Lincoln Cab Company
Bobbie L. Abercrombie
United Cab Company
Robert L. Rowland
Garland Watkins, Jr.
Associated Cab Company
Charlie Alton Robertson (Renewal)
Charles Isam Lyons (Renewal)
Clementine Johns Robertson (Renewal)
Leonard Alston (Renewal)
Garland Watkins, Jr. (Renewal)
Safeway Taxicab Company
Samuel I. Gachenje (Renewal)
Ernest Howard Vinson (Renewal)
City Cab Company
McKeever Dunn (Renewal)
James N. Melvin (Renewal)
Stephen Glenn, Jr. (Renewal)
Charles H. Snipes (Renewal)
John E. Cofield (Renewal)
Harrison Stanback (Renewal)
Arthur L. Stanback (Renewal)
Samuel Lee Crowder (Renewal)
Norwood M. Peacock (Renewal)
William E. Chavis (Renewal)
Theodore R. Goodson (Renewal)
John Burnett (Renewal)
Primus Sloan (Renewal)
James Curtis Dowd, Jr. (Renewal)
William McKinney (Renewal)
Joseph N. Flemming (Renewal)
Clyde Hood Johnson (Renewal)
Ebony Cab Company
Napolean Nesbitt (Renewal)
Airline Taxi Company
Jim Rhodes (Renewal)
Tri-City Express Taxi Company
William Earl Sutton (Renewal)
William Patterson (Renewal)
Triangle Cab Company
Robert L. Cobbs (Renewal)
Rainbow Cab Company
Al Jiles (Renewal)
John Gilchrist (Renewal)
American Cab Company
Harry W. Griffin, Sr. (Renewal)

Consent Agenda approval - Upchurch/Walters - 8 ayes.

BUDGET AMENDMENTS - VARIOUS DEPARTMENTS - ORDINANCE ADOPTED

The Agenda listed a budget amendment in the amount of $1,200.00 in the Parks and Recreation Department to place into Operating Account funds reimbursed to the City for damage to a light pole. The Agenda also presented a $3,000.00 budget amendment in the Planning Department to accept a contribution from the Historic Properties Commission to help offset the cost of publication for the Early Raleigh Neighborhoods and Buildings book published as a result of the Urban Character Conservation Grant. The Agenda listed the revenue and expense accounts for each budget amendment. Administration recommends approval. Consent Agenda approval - Upchurch/ Walters - 8 ayes.

ORDINANCE NO. (1983) 213

AN ORDINANCE TO AMEND THE 1983/1984 BUDGET ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the 1983/1984 Budget Ordinance be amended as follows to fund appropriation to Planned Parenthood:

Revenue:	01-1-0080-0212	Revenue Sharing-Agencies	$7,500.00
Expense:	01-2-1050-0380	Planned Parenthood	$7,500.00

Section 2. That the 1983/1984 Budget Ordinance be amended to appropriate funds for the repaving of the 300 Block Pedestrian Shelter site:

Revenue:	41-1-0090-0220	Reserve	$7,500.00
Expense:	41-2-2000-0182	Repairs to Mall Structures	$7,500.00

Section 3. That the 1983/1984 Budget Ordinance be amended to place into operating account, funds reimbursed to City for damage to light pole:

Revenue:	01-1-0070-0200	Miscellaneous Income	$1,200.00
Expense:	01-2-6020-0225	Repairs to Buildings	$1,200.00

Section 4. That the 1983/1984 Budget Ordinance be amended as follows to accept contribution from the Historic Properties Commission to help offset the cost of publication for the Early Raleigh Neighborhoods & Buildings book published as a result of the Urban Character Conservation Grant:

Revenue:	01-1-0070-0200	Miscellaneous Income	$3,000.00
Expense:	01-2-1220-0260	Office & Other Supplies	$3,000.00

Adopted: 11/3/83

CIVIC CENTER - INFORMATION RECEIVED

Approval has been granted for the rent-free use of Meeting Room B at the Civic Center on Wednesday, November 16, 1983, between 7:00 and 9:30 p.m. for the purpose of a City-wide SADD organizational meeting. The item was received without comment.

CONDEMNATION - MILLBROOK ROAD RIGHT-OF-WAY - RESOLUTION ADOPTED

The Agenda indicated efforts have been unsuccessful to obtain needed right-of-way at 5100 Wake Forest Road relating to the Millbrook Road Right-of-Way acquisition, Wake Forest Road to existing Millbrook Road. The property is owned by Mrs. Amy R. Pool. Administration recommends that a resolution of condemnation be authorized. Consent Agenda approval - Upchurch/Walters - 8 ayes.

RESOLUTION NO. (1983) - 378

A RESOLUTION AUTHORIZING CONDEMNATION TO ACQUIRE CERTAIN PROPERTY OF AMY R. POOLE

WHEREAS, the City Council of the City of Raleigh hereby determines that it is necessary and in the public interest to acquire certain property owned by Amy R. Poole for the following public purpose:

Public street purposes, specifically to upgrade and extend Millbrook Road.

WHEREAS, the proper officials or representatives of the City of Raleigh have been unable to acquire the needed interest in this property by negotiated conveyance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, THAT:

Section 1. The City of Raleigh shall acquire by condemnation, for the purposes stated above, the property and interest described as follows:

> Beginning at a point, said point being in the existing eastern right-of-way line of Wake Forest Road and being 60.61 feet from the intersection of the northern right-of-way line of Second Street and the eastern right-of-way line of Wake Forest Road; thence along said Wake Forest Road right-of-way line north 28 deg. 55 min. 41 sec. east 156.94 feet to a point; thence south 68 deg. 26 min. 00 sec. east 84.80 feet to a point; thence south 19 deg. 46 min. 36 sec. west 38.00 feet to a point; thence south 69 deg. 18 min. 54 sec. east 32.78 feet to a point; thence south 22 deg. 20 min. 33 sec. west 66.25 feet to a point in the proposed southern right-of-way line of Millbrook Road Extension; thence along said Millbrook Road right-of-way line north 89 deg. 03 min. 30 sec. west 147.39 feet to the point and place of beginning. Further reference is made to a map prepared by CITY OF RALEIGH DEPARTMENT OF CENTRAL ENGINEERING, entitled, MILLBROOK ROAD RIGHT-OF-WAY ACQUISITION WAKE FOREST ROAD TO EXISTING MILLBROOK ROAD, dated 10-17-83, and recorded in Book of Maps _____, at Page _____, in the office of the Register of Deeds for Wake County, North Carolina.

Section 2. The attorneys representing the City of Raleigh are directed to institute the necessary proceedings under Chapter 40A of the North Carolina General Statutes to acquire the property herein described.

Adopted: November 3, 1983

Effective: November 3, 1983

BILTMORE HILLS/RIDGE ROAD SWIMMING POOLS - CHANGE ORDER #G-17 - MANAGER'S ACTIONS CONCURRED WITH

This is a change order which was an addition of $944 to provide hybrid Bermuda sod on the unsodded areas north and south of the pool deck at the Ridge Road area not included in drawings. The Agenda listed the budget accounts that have been amended due to this change order. It was indicated the City Manager has administratively approved the change order and concurrence with the Manager's action is recommended. Consent Agenda approval - Upchurch/Walters - 8 ayes.

MUNICIPAL BUILDING - CHANGE ORDER #G-7 - MANAGER'S ACTIONS CONCURRED WITH; PLAQUE RELATING TO PROPERTY - INFORMATION RECEIVED

This is a change order which is an addition of $484.61 and the request was made to the architect to provide a subplaque showing the Municipal Building Committee to be placed beneath the building plaque. The Agenda listed the budget accounts that would be affected by the change order. The City Manager has administratively approved Change Order #G-7 and concurrence with the Manager's action is recommended. Consent Agenda approval - Upchurch/Walters - 8 ayes.

Mr. Walters indicated he has no objection to this change order. He stated, however, he feels that we should look at the possibility of adding to the subplaque the name of the contributor that gave the land to the City on which the Municipal Building is being constructed. City Manager Zachary indicated this point was raised in Greensboro recently and the Clerk checked into the information available when the building site was given to the City. It was indicated in accepting the Carolina Hotel site, the City Council stated they wanted to place a plaque on the grounds indicating the name of the contributor of the land. The item was received as information.

DAM REPAIRS - LAKE BENSON - CHANGE ORDER #2 - APPROVED

This is a change order which is an addition of $2,434.50 which is needed because of an additional 145 cubic feet of grout to fill void beneath spillway chute slab at Lake Benson. Change Order #2 relates to Wilson Construction Company, Inc. The Agenda listed the budget accounts that would need to be amended if the change order is approved. Consent Agenda approval - Upchurch/Walters - 8 ayes. See Ordinance 214 TF 8.

TRANSFERS - ADMINISTRATIVE - MANAGER'S ACTION CONCURRED WITH

Council Members received in their Agenda packet a list of administrative transfers which have been approved by the City Manager according to Council procedure. Concurrence with the Manager's action is recommended. Consent Agenda approval - Upchurch/Walters - 8 ayes. The transfers were as follows:

FROM	TO	AMOUNT
43-2-4051-101	43-2-4051-105	$950.00
01-2-1100-700	01-2-1100-226	174.50
19-2-8180-534	19-2-8180-260	200.00
01-2-6000-735	01-2-6000-226	8.00
19-2-8390-700	19-2-8390-221	900.00
19-2-8250-269	19-2-8250-700	310.00
01-2-1130-237	01-2-1130-702	200.00

TRANSFERS WITHIN VARIOUS ACCOUNTS AND CONTINGENCIES - ORDINANCE ADOPTED

The Agenda listed various transfers within accounts for purposes as stated therein and appropriation from contingencies with recommendation of approval. Consent Agenda approval - Upchurch/Walters - 8 ayes.

ORDINANCE (1983) 214 TF 8

WHEREAS, it appears desirable and for the best interest of the City of Raleigh and its citizens that funds in the amounts hereinafter set forth heretofore appropriated as set forth in the appropriations ordinance adopted June 21, 1983, and included in the budget for the fiscal year ending June 30, 1984, be transferred from one account as permitted and authorized by the General Statutes of North Carolina, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the amounts hereinafter set forth be and are hereby transferred for the purpose shown:

CODE ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From 34-2-1000-0100	Council Reserve	$ 7,500.00
To 34-2-3040-0101	01-0080-212	7,500.00

Purpose: To establish an account to fund Planned Parenthood.

CODE	ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From	84-2-1050-0104	Dam Restoration-Miscellaneous	2,434.50
To	84-2-1050-0201	Dam Restoration-General	2,434.50

Purpose: Change Order - Dam Repairs-Lake Benson - Wilson Construction Company, Inc. - No. 2

From	43-2-5080-0100	Contingency-CD	40,000.00
To	43-2-5300-0100	Incentive Housing	40,000.00

Purpose: To establish line item for additional funding of Incentive Housing Program.

From	01-2-4130-0609	Fire Apparatus	3,494.99
To	01-2-4130-0229	Repairs-Power Equipment	3,494.99

Purpose: To provide funds for cost of repairs to convert breathing apparatus to pressure demand to meet OSHA requirements.

From	03-2-5200-0535	Indirect Cost	8,476.22
To	03-2-5200-0100	Salaries	8,476.22

Purpose: To supplement deficit line item account to accommodate percentage of Director of Human Resources' salary not previously budgeted for FY 83.

From	38-2-1000-0100	Council Reserve	1,140.25
To	38-2-2010-0104	Swim. Pool D	1,140.25

Purpose: To supplement account for materials testing at Biltmore Hills and Ridge Road Pools. Total Contract $8,500; Balance in acct. $1,359.75. Final payment request has been received for $2,500.

From	19-2-8070-0901	Fund 18	4,145.27
To	19-2-8070-0100	Salaries	3,080.18
	19-2-8070-0260	Supplies	1,015.09
	19-2-8070-0992	Refund	50.00

Purpose: To provide funds to correct problem of converting Ranoca Day Camp expenditures from Revolving Budget to Amusement Budget as approved in the budget for FY 83-84.

From	38-2-1000-0100	Council Reserve	2,000.00
To	38-2-2010-0103	Ridge Road C Park Site	2,000.00

Purpose: To provide funds for land acquisition proceedings at Ridge Road Pool.

From	06-2-7100-0002	Contingency	18,000.00
To	06-2-7100-0909	Work Compensation	18,000.00

Purpose: To provide Funds to cover projected workman's compensation cost for remainder of fiscal year.

From	01-2-5020-0611	Weed Eater	45.86
To	06-1-0070-0200	Miscellaneous Income	45.86

Purpose: To provide funds to reimburse Public Utilities Department for their charges to repair water valve at Street Division.

From	34-2-3401-0101	General Contract	7,750.00
To	34-2-3401-0102	Architect	7,750.00

Purpose: To fund from liquidated damages withheld for delayed completion time of Street Maintenance Facility (7/23/82 until 12/17/82) by General Contractor to compensate architect for extended contract administration in accord with agreement.

From	01-2-1040-0001	Contingency	19,100.00
To	39-2-5110-0202	Asbestos Inspection B	12,300.00
To	39-2-5110-0204	Asbestos Inspection D	6,800.00

Purpose: To transfer funds from General Fund to Capital Improvements Fund to finance project.

From	01-2-1040-0001	Contingency	19,055.00
To	01-2-5100-0100	Salaries	9,695.00
To	01-2-5100-0703	Field Equipment	200.00
To	01-2-5100-0706	Radio	660.00
To	01-2-5100-0707	Automobile	8,500.00

Purpose: To provide funds for additional Building Inspector III position in the Inspection Division.

From	38-2-3040-0100	Green Road	9,000.00
To	38-2-3040-0102	Green Road B	9,000.00

Purpose: To amend architect's contract necessitated by the reorientation of the community center in Green Road Park.

From	37-2-1000-0100	Council Reserve	3,000.00
To	37-2-1100-0101	Parks & Recreation Bldg. Feasibility Study	3,000.00

Purpose: To provide funds for feasibility study to expand the Wade Avenue Office of Parks and Recreation Dept.

From	42-2-5000-0534	Contingency	15,000.00
To	42-2-5000-0706	Shelters	15,000.00

Purpose: To provide funds to cover installation of bus stop shelters.

CODE	ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From	43-2-5050-0100	Economic Development	579,934.24
From	43-2-5080-0100	Contingency	255,000.00
To	43-2-5050-0050	Commercial Rehab/ED	60,000.00
To	43-2-5051-0100	Acquisition/NBP	220,000.00
To	43-2-5051-0101	Demolition/NBP	10,000.00
To	43-2-5051-0102	Relocation/NBP	15,000.00
To	43-2-5052-0100	Acquisition/DTE	44,000.00
To	43-2-5052-0101	Demolition/DTE	4,350.00
To	43-2-5052-0102	Relocation/DTE	110,584.24
To	43-2-5052-0103	Residential Rehab/DTE	120,000.00
To	43-2-5052-0104	Public Facilities Improv./DTE	51,000.00
To	43-2-5052-0105	Sir Walter Apts./DTE	200,000.00

Purpose: To allocate funds, by line-items, for Downtown East and New Bern Place.

From	38-2-1000-0100	Council Reserve	20,408.00
To	38-2-2010-0101	Swim Pool A	20,408.00

Purpose: To fund Change Order No. 18 - Clancy & Theys Construction Co. Ridge Road Pool.

From	38-2-1000-0100	Council Reserve	7,027.00
To	38-2-2010-0101	Swim Pool A	7,027.00

Purpose: To fund Change Order No. G-20 - Clancy & Theys Construction Co. Ridge Road Pool.

From	32-2-5000-0152	Yadkin Street Bridge	4,421.00
To	32-2-5000-0101	Bridge Repair	4,421.00

Purpose: To transfer funds to expenditure account for general contractor - Project PW-1983-8 Bridge Demolition, Replacement & Repair.

From	40-2-1000-0100	Council Reserve	27,000.00
To	40-2-1510-0102	Architects Fees	27,000.00

Purpose: To fund Haskins & Rice contract for Civic Center renovations based on percentage of estimated construction cost.

Adopted: 11/3/83

BID REQUEST 83-29 - FIRE HYDRANTS - BID AWARDED TO PYCO SUPPLY COMPANY, INC.

Pursuant to advertising as required by law, bids received and publicly opened in the Office of the Purchasing Agent on October 24, 1983, for 25 fire hydrants with results as follows: PYCO Supply Company, Inc. - $11,375 - less 1%; Davis Meter and Supply Company - $11,375 - net; American Cast Iron Pipe Company - $12,508. Administration recommends the low bid submitted by PYCO Supply Company, Inc. be awarded. Consent Agenda approval - Upchurch/ Walters - 8 ayes.

BID REQUEST 83-30 - TRAFFIC SIGN POST - BID AWARDED TO KORMAN SIGNS, INC.

Pursuant to advertising as required by law, bids received and publicly opened in the Office of the Purchasing Agent on October 24, 1983, for various sized traffic sign post with results as follows: Korman Signs, Inc. - $13,562.90; Vulcan Signs, Inc. - $13,814.50. Administration recommends the low bid submitted by Korman Signs, Inc. be awarded. Consent Agenda approval - Upchurch/ Walters - 8 ayes.

BID REQUEST 83-32 - TRACTOR MOWERS - BID AWARDED TO SOUTHERN TURF EQUIPMENT

Pursuant to advertising as required by law, bids received and publicly opened in the Office of the Purchasing Agent on October 24, 1983, for five tractor mowers with results as follows: Southern Turf Equipment - $54,815; Excel Industries, Inc. - $63,180. Administration recommends the low bid submitted by Southern Turf Equipment be awarded. Consent Agenda approval - Upchurch/Walters - 8 ayes.

TRAFFIC - VARIOUS CHANGES - ORDINANCE ADOPTED

The Agenda presented recommended changes in the traffic code relating lane channelization on Cabarrus Street at Dawson Street, "No Parking" on Drake Circle, and additional on-street parking on Fairhill Drive. Administration recommends approval. Consent Agenda approval - Upchurch/Walters - 8 ayes.

ORDINANCE (1983) 215

AN ORDINANCE TO AMEND THE TRAFFIC SCHEDULE OF THE CITY OF RALEIGH

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Traffic Schedule No. 2 entitled "STOP INTERSECTIONS" be amended by adding the following:

Hillcrest Road at Park Drive
Forest Drive at Johnson Street

Section 2. That Traffic Schedule No. 3 entitled "YIELD SIGNS" be amended by deleting the following:

Hillcrest Road at Park Drive
Forest Drive at Johnson Street

Section 3. That Traffic Schedule No. 6B7 entitled "CHANNELIZATION" be amended by adding the following:

Cabarrus Street eastbound at Dawson Street

Section 4. That Traffic Schedule No. 13 entitled "NO PARKING ZONES" be amended by adding the following:

Calvin Road, east side from College Place, northward 100 feet;

Calvin Road, west side from College Place, northward 50 feet;

Drake Circle in its entirety; and

Fairhill Drive, east side, from Glenwood Avenue, southward 300 feet.

Amend said Section further by deleting the following:

Calvin Road, both sides, beginning at College Place, northward 50 feet;

Drake Circle, both sides, beginning 100 feet west of Myron Drive and extending around the entire circle;

Drake Circle, north side, beginning at Myron Drive, westward 100 feet; and

Fairhill Drive, east side, beginning at Glenwood Avenue, southward 630 feet.

Section 5. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. That this ordinance shall become effective November 10, 1983.

Adopted: 11/3/83

Effective: 11/10/83

END OF THE CONSENT AGENDA

BUDGET AMENDMENT - FAYETTEVILLE STREET MALL - APPROVED

The Consent Agenda carried a budget amendment in the amount of $7,500 from the reserve account to an expense account entitled, "Repairs to Mall Structure, to appropriate reserve Mall funds for the repaving of the 300 block pedestrian shelter site. Mayor York indicated he had requested that this item be withdrawn questioning why this area needs repaving with City Manager Zachary indicating this is at the pedestrian shelter and the repaving is necessary with Mayor York stating he did not know there was a problem. Jack Moyer indicated the area around the two pedestrian shelters on the Mall were paved at different times with different methods and material than the rest of the Mall. He stated we have gone back and redone the shelter in the 100 block and the shelter at the 300 block is in need of repair. He indicated in response to questioning we did receive informal bids on Tuesday and the work is projected at $7,000. Mayor York questioned if there were other problems of this magnitude on the mall with Mr. Moyer indicating this is the final spot that actually needs repaving. Mr. Edwards moved the amendment, as outlined, be authorized. This motion was seconded by Mr. Upchurch and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 214 TF 8.

TRANSFERS - HUMAN RESOURCES - CETA APPROVED

The Consent Agenda listed a transfer in the amount of $8,476.22 from Indirect Cost to Salaries in the Human Resources Department. The purpose indicated this is needed to supplement the deficient line item account to accommodate percentage of Director of Human Resource's salary not previously budgeted for FY-83. Mr. Calloway indicated he had requested that this item be withdrawn from the Consent Agenda questioning why a department head's salary was not funded completely. City Manager Zachary indicated a portion of the Human Resources Director's salary had been funded by CETA and due to the closeout of CETA, we need to fund the remainder of the salary and the source of funds is Indirect Cost. Mr. Calloway moved the recommendation, as outlined, be authorized. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 214 TF 8.

REPORT OF THE PLANNING COMMISSION

PLANNING COMMISSION CONSENT AGENDA - APPROVED AS AMENDED

Mayor York presented the Planning Commission Consent Agenda indicating it would be handled in the same manner as the regular Consent Agenda. Mr. Edwards requested that TC-249 (CR-3043) be withdrawn. Without objection, that item was withdrawn. Mr. Calloway moved the Planning Commission's recommendations on the remaining items on the Consent Agenda be upheld. His motion was seconded by Mr. Walters and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. The items on the Consent Agenda were as follows:

SC-130-83 - WESTERN MANOR CONDOMINIUM CONVERSION - APPROVED

This was a request for approval to convert 84 existing units, on 7.01 acres which are zoned Office and Institution-I, into residential condominiums.

The property is located at the north side of Avent Ferry Road, at the intersection of Champion Court, inside the City Limits.

CR-3037 from the Planning Commission recommended that this request be approved according to a map entitled, "Western Manor Condominium Conversion," the property of Leland Debnam and Wife, drawn by Robert W. Keefe, dated October 1, 1983. Consent Agenda approval - Upchurch/Walters - 8 ayes.

SUBDIVISION S-145-83 - WOODS OF STONEHENGE - APPROVED WITH CONDITIONS

This was a request for approval to subdivide a 1.94 acre tract which is undeveloped and zoned Residential-6 into eight (8) townhouse lots and develop four (4) duplex townhouses.

The property is located at the intersection of Wilderness Road and Bucksport Lane, inside the City Limits.

CR-3038 from the Planning Commission recommended that this request be approved according to a map entitled, "Woods of Stonehenge," the property of Development Associates, drawn by Penny Greene and Associates, dated September 30, 1983, with the condition that the cross-access and common party wall maintenance agreements are reviewed and approved by the City Attorney's Office prior to recording the final plats. Consent Agenda approval - Calloway/ Walters - 8 ayes.

SUBDIVISION S-156-83 - THE ACORNS TOWNHOUSES - APPROVED WITH CONDITION

This was a request for approval for an eight-unit townhouse project on 0.84 acres which is currently undeveloped and zoned Residential-10.

The property is located at the southwest corner of College View Avenue and Burt Drive, inside the City Limits.

CR-3039 from the Planning Commission recommended that this request be approved according to a map entitled, "The Acorns Townhouses," the property of C. A. Harris, Jr., drawn by L. I. Chasak, dated December 10, 1980, with the condition that the legal documents for the non-profit homeowners association be reviewed and approved by the City Attorney's Office prior to recording the final plats. Consent Agenda approval - Calloway/Walters - 8 ayes.

SC-213 - EXXON AT CREEDMOOR CROSSINGS SIGNS - APPROVED

This was a request for approval for a 136 square foot freestanding sign and sign package for the proposed service station, located at Creedmoor Crossings Shopping Center. The site is zoned Shopping Center and is currently undeveloped.

The property is located at the southwest corner of Creedmoor Road and Leesville Road, outside the City Limits.

CR-3040 from the Planning Commission recommended that this request be approved according to a map entitled, "Exxon at Creedmoor Crossings Signs," the property of Exxon Company, USA, drawn by Exxon Company, USA, dated September 16, 1983. Consent Agenda approval - Calloway/Walters - 8 ayes.

TC-248 - SIGN ORDINANCE AMENDMENTS - APPROVED AS AMENDED

This was a request for approval to amend Sections 10-2022, 10-2039(9) and 10-2065.2(c) to amend the definition of identification sign, amend the maximum length and area of copy for ground signs in Office and Institution districts, and remove the approval of the City Council of ground signs in the Office and Institution zoning districts.

CR-3042 from the Planning Commission recommended that TC-248, as amended, be approved according to the ordinance attached to Certified Recommendation 3042. Consent Agenda approval - Calloway/ Walters - 8 ayes.

ORDINANCE (1983) 216 TC 199

AN ORDINANCE TO AMEND THE SIGN REGULATIONS OF THE CITY OF RALEIGH

WHEREAS, the Raleigh City Council finds that limiting the amount of material on signs lessens confusion and protects the motoring public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF RALEIGH, NORTH CAROLINA, that:

Section 1. The definition of "Identification Sign" contained in Raleigh City Code Section 10-2002 is hereby repealed.

Section 2. The word "identification" appearing in Raleigh City Code Sections 10-2023(1)k., 10-2039(9), 10-2039(9)(a), 10-2042(4)b., 10-2043(4)b., 10-2065.3(a)(2)b., and 10-2065.7(2) first paragraph, are deleted.

Section 3. Subsection 10-2039(9)(b) of the Raleigh City Code, relating to Office and Institution ground sign dimensions, is hereby amended to include a maximum length; said subsection is hereby amended to insert immediately following the word "inches" the following punctuation and words ", and the maximum length of the ground sign shall be twenty (20) feet".

Section 4. The word "and" appearing in Raleigh City Code Section 10-2039(9)(e) is hereby removed and is hereby inserted at the end of 10-2039(9)(f). The period at the end of Raleigh City Section 10-3039(9)(f) is hereby changed to a semicolon.

Section 5. Subsection 10-2039(9) of the Raleigh City Code is hereby amended to add two new divisions, (g) and (h), which shall follow 10-2039(9)(f) and they shall read as follows:

"(g) the area of copy for each ground sign may not exceed one-half the allowable ground sign area of the sign; and

(h) all items of copy shall be a minimum size of four inches and, no sign may contain more than five horizontal pieces of information.".

Section 6. The first sentence of Section 10-2065.2(c) of the Raleigh City Code is hereby amended to delete the following "or unless approved by the city council in an office and institution zoning district,".

Section 7. Section 10-2065.2(c) of the Raleigh City Code is amended to reletter subsection 10-2065.2(c)(6) subsection 10-2065.2 (c)(7). Said section is further amended to add a new subsection, 10-2065.2(c)(6), which shall follow 10-2065.2(c)(5) and shall read as follows:

"(6) All items of copy shall be a minimum size of four inches and no sign may contain more than five horizontal pieces of information.".

Section 8. All ordinances and clauses in conflict herewith are hereby repealed to the extent of said conflict.

Section 9. This ordinance has been adopted following a duly advertised joint public hearing of the Raleigh City Council and the City Planning Commission following a recommendation of the Planning Commission.

Section 10. If this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or application of the ordinance which can be given separate effect and to this end the provisions of this ordinance are declared to be severable.

Section 11. This ordinance shall be enforced as provided in N.C.G.S. 160A-175 or as provided in the Raleigh City Code.

Section 12. This ordinance shall become effective five days following its adoption.

Adopted: November 3, 1983

Effective: November 8, 1983

DOWNTOWN EAST/EAST SIDE REDEVELOPMENT PLAN AMENDMENT - PLANNING COMMISSION'S RECOMMENDATION RECEIVED

This was a request for approval to amend the Downtown East/East Side Redevelopment Plan to construct new housing and rehabilitate existing structures on a site bound by New Bern Avenue, East Hargett Street, South Bloodworth Street, and South East Street in order to initiate the formation of a viable downtown residential community.

CR-3045 from the Planning Commission recommended that this amendment be approved. Consent Agenda approval - Calloway/Walters - 8 ayes.

END OF THE PLANNING COMMISSION CONSENT AGENDA

TEXT CHANGE 249 - RECOMBINATION PROCEDURES - REFERRED TO PUBLIC WORKS COMMITTEE

This was a request for approval to amend Chapter Three of Part Ten of the Raleigh City Code to add a new section, 10-3005, to establish uniform regulations concerning the recombination of lots by recorded maps or by recorded instrument. The Planning Commission by CR-3043 recommended that TC-249, as amended, be approved according to the ordinance attached to CR-3043.

Mr. Edwards indicated he had asked that this be withdrawn from the Consent Agenda pointing out when the original text change came out of Public Works that it was to be the same procedure but where only two lots were involved and shifting of a property line that it would be stamped as recombination and signed by the Director of Planning. He questioned why, when only two lots are involved, it has to go through the whole process as recommended by the Planning Commission. He stated this is time consuming, cumbersome, etc., pointing out a lot of times when only two lots are involved, it is just a shift of a lot line. Planning Director Chapman indicated the change in the original text change came about at the Planning Commission Committee meeting. He indicated they were concerned that the shift of the lot line could change potential density on a lot and could have an effect on the property value, etc. Thereby, they felt that recombination should be signed by all property owners. Mr. Edwards indicated the only time it would affect the density would be on R-6 and above. He stated he knows of cases where people are waiting to move in a house but because there is a violation of the lot line of two or three inches, they have to wait and go through the whole process. He indicated what the public Works Committee was attempting to do was accommodate the consumer and he feels that this is an additional burden that will be placed on the consumer. Mr. Chapman indicated the Planning Commission was looking at the protection of the property owner. Brief discussion took place and Mr. Edwards moved that TC-249 be referred back to the Public Works Committee. His motion was seconded by Mr. Upchurch and passed unanimously. The Mayor ruled the motion adopted.

TC-246 - CONSERVATION/BUFFER AMENDMENT - DENIED

This was a request for approval to amend Section 10-2022(1) to permit public recreational areas and private recreational areas not operated for profit in the Conservation/Buffer district.

CR-3041 from the Planning Commission recommended that TC-246 be approved according to the ordinance attached to Certified Recommendation 3041.

Mr. Edwards indicated this recommendation bothers him and, apparently, it bothered the people on the Planning Commission. He stated he would like to see us go back to the purpose of Conservation/Buffer screening and what Conservation/Buffer could be utilized for. He indicated he works with clients who want to protect the Conservation/Buffer and he feels that this zoning should be protected. He stated he really didn't realize that the City could use Conservation/Buffer for any facilities and now the proposal is that private, nonprofit organizations could violate the Conservation/Buffer district for recreational areas. He indicated if we keep adding uses that are allowed in the Conservation/Buffer, he feels we are destroying the original intent. He explained loopholes that are already in the Conservation/Buffer. He stated he understood there was an item in a Planning Commission subcommittee about Conservation/ Buffer and how it can be utilized and he doesn't believe it is prudent to approve additional uses when we are studying what uses are allowed now. He stated he would prefer to deny this proposed text change and see what the Planning Commission recommends. Mr. Edwards moved TC-246 be denied. His motion was seconded by Mr. Upchurch. Mr. Walters indicated he could certainly support this motion pointing out he does not think it was anyone's intent to relax the allowed uses in Conservation/Buffer. The restrictions should be stricter. The motion, as stated, was put to a vote and passed unanimously. The Mayor ruled the motion adopted.

TC-252 - EMERGENCY SHELTER REVISIONS - APPROVED

This was a request for approval to repeal Sections 10-2045(1)f and 10-2073(c)(28) and to add new sections 10-2044(1)b) and 10-2044(3)a(10) to make changes in the zoning districts and density requirements of Emergency Shelters in order to make the existing regulations more workable.

CR-3044 from the Planning Commission recommended that TC-252, as corrected, be approved according to the ordinance attached to Certified Recommendation 3044. Mr. Calloway moved the recommendation be upheld. His motion was seconded by Ms. Babb. Mr. Walters indicated he would not expound on his opposition again but he would have to vote against it. Mr. Upchurch indicated he is going to support the motion but he would like to say that this whole matter is of great concern to him. He indicated he is very concerned and it is his understanding the Human Resources and Human Relations Advisory Committee is going to be requested to look at the whole item. He stated when this recommendation is made out of the Law and Finance Committee, as a point of personal privilege, he would like to hear from Roland Gamon. Mr. Walters stated he just did not feel that this recommendation should be upheld pointing out there are neighborhood business zones throughout the City and he feels that if the Council approves this, it will come back to haunt the Council. The motion, as stated, was put to a vote which resulted in all members voting in the affirmative except Mr. Walters who voted in the negative. The Mayor ruled the motion adopted.

ORDINANCE (1983) 217 TC 200

AN ORDINANCE TO AMEND THE CITY RULES AND REGULATIONS REGARDING EMERGENCY SHELTERS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH that:

Section 1. Section 10-2045(1)f of the Raleigh City Code is hereby repealed.

Section 2. Section 10-2073(c)(28) of the Raleigh City Code is hereby repealed.

Section 3. Section 10-2044(1) of the Raleigh City Code, as amended by Ordinance No. 210 TC 198, adopted Oct. 18, 1983, is further amended to add a new subsection, 10-2044(1)b which shall read as follows:

"b. Emergency Shelters which conform to the following requirements:

1. The shelter will open for operation no earlier than 6:00 p.m. daily and will close no later than 8:00 a.m. daily.

2. The shelter may not operate kitchen facilities for the preparation of meals, but light snacks and hot beverages may be served.

3. The shelter shall not house more than 25 individuals per night.

4. The shelter will conform to all applicable health, building code, licensing laws and regulations.

5. The shelter operators will provide an employee or volunteer to maintain continuous on-site supervision of the shelter during the shelter's hours of operation.

6. The shelter receives site plan approval pursuant to the provisions of Section 10-2044(3).".

Section 4. A new Section 10-2044(3)a(10) is hereby added to the Raleigh City Code to read as follows:

"10. A site plan for an emergency shelter may be denied if it is found that the location of the proposed facility in relation to other similar facilities, group care facilities or family care facilities will create a de facto social service or welfare district to the detriment of the neighborhood.".

Section 5. All ordinances and clauses in conflict herewith are hereby repealed to the extent of said conflict.

Section 6. This ordinance has been adopted following a duly advertised joint public hearing of the Raleigh City Council and the City Planning Commission following a recommendation of the Planning Commission.

Section 7. If this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or application of the ordinance which can be given separate effect and to this end the provisions of this ordinance are declared to be severable.

Section 8. This ordinance shall be enforced as provided in N.C.G.S. 160A-175 or as provided in the Raleigh City Code.

Section 9. This ordinance shall become effective upon its adoption.

Adopted: November 3, 1983

Effective: November 3, 1983

COMMITTEES, COMMISSIONS AND BOARDS

GREENWAY COMMISSION - APPOINTMENT MADE

The City Clerk indicated there is one vacancy on the Greenway Commission. Tyler Toulon has been nominated by Mr. Walters and nominations have not been closed. There being no further nominations, Mr. Walters moved that nominations to the Greenway Commission be closed and that Mr. Toulon be appointed by acclamation. His motion was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

HUMAN RESOURCES AND HUMAN RELATIONS ADVISORY COMMITTEE - PETER ANDREWS REAPPOINTED; ONE VACANCY REMAINING

The City Clerk indicated one vacancy due to the enlargement of this Committee and a second upcoming vacancy as the term of Peter Andrews expires November 20. Mr. Andrews has been nominated for reappointment. Nominations have not been closed.

Brief discussion took place and Mr. Upchurch moved that nomination on the November 20 vacancy be closed and Mr. Andrews reappointed by acclamation. His motion was seconded by Mr. Edwards and put to a vote which passed unanimously. The Mayor ruled the motion adopted and indicated there is one remaining vacancy.

YOUTH COUNCIL ADVISORY BOARD - APPOINTMENT MADE

The City Clerk reported the term of Kay F. Letterman expired September 3, 1983. Sarah Harris has been nominated and nominations have not been closed. Brief discussion took place and, by general consensus, it was agreed that nominations to the Youth Council Advisory Board would be closed and Ms. Harris appointed by acclamation.

HOUSING APPEALS BOARD - NO ACTION TAKEN

The City Clerk reported one vacancy for an alternate member of the Housing Appeals Board as a result of a recent ordinance change enlarging the Board. No nominations have been made. No nominations were made.

TELECOMMUNICATIONS COMMISSION - NOMINATIONS MADE

The City Clerk reported during the October 18 Council Meeting the Council voiced their intent to increase the Telecommunications Commission to fifteen members and at that time appointed thirteen persons, therefore, there are two remaining vacancies on this Commission. Mr. Walters nominated Ken Durham. Ms. Babb nominated Mrs. Tony Hutto. No further action was taken.

APPEARANCE COMMISSION - APPOINTMENT MADE

The City Clerk reported the term of Rodney L. Swink expires December 22, 1983. He has been nominated for reappointment. Nominations have not been closed. There being no further nominations, Mr. Keller moved that nominations to the Appearance Commission be closed and Mr. Swink reappointed by acclamation. His motion was seconded by Ms. Babb and passed unanimously. The Mayor ruled the motion adopted.

HEATING, AIR CONDITIONING, REFRIGERATION AND VENTILATION BOARD - NOMINATIONS MADE

The City Clerk reported all terms expire December 28, 1983, and all current members have been nominated for reappointment. It was explained that the journeyman position is held by Wayne Hicks and his attendance record is not good. The administrative person working with this Board recommends that Stewart W. Arnold, an employee with Stahl-Rider, be considered for Mr. Hicks' position. Mr. Hicks' name was withdrawn and Mr. Upchurch nominated Mr. Arnold for the journeyman slot. No further action was taken.

BOARD OF ADJUSTMENT - ALTERNATE MEMBER - NO ACTION TAKEN

The City Clerk reported a vacancy for an alternate member on the Board of Adjustment explaining, at the last meeting, Tate Lanning was appointed a regular member. Nominations include Eugene Phillips and Rhody Dillon. Nominations for the alternate slot on the Board of Adjustment was closed.

A ballot vote resulted as follows: Phillips - 4 (Walters, Edwards, Upchurch, Keller); Dillon - 4 (Babb, Calloway, Jordan, York).

A second ballot vote resulted as follows: Dillon - 4 (Calloway, Jordan, Babb, York); Philips - 4 (Walters, Keller, Upchurch, Edwards).

As no member received five votes, it was agreed to hold this item over until the next meeting.

REPORT AND RECOMMENDATION OF THE LAW AND FINANCE COMMITTEE

WALNUT CREEK GREENWAY - PROFESSIONAL SERVICES - ADMINISTRATION AUTHORIZED TO NEGOTIATE CONTRACT WITH BARRETT KAYS AND ASSOCIATES

Chairman Jordan reported the Law and Finance Committee recommends that Administration be authorized to negotiate a contract with Paton, Kays and Zucchino for the professional services for the Lower Walnut Creek Greenway with the understanding the contract will be brought back to Council for final approval. On behalf of the Committee he moved the recommendation be upheld. His motion was seconded by Mr. Calloway.

Mr. Walters indicated the proposals listed the name of Paton, Kays and Zucchino, however, they have split up and he wondered which part of the firm the Law and Finance Committee is recommending. He stated he has no objection to any of them but there is no such firm as Paton, Kays and Zucchino. Mr. Jordan indicated the Committee's recommendation is for Administration to negotiate a contract with the part of the firm that Barrett Kays is associated with pointing out Mr. Kays made the proposal to the Committee. With that understanding, the motion, as stated, was put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

CABLEVISION - CABLE ACCESS CORPORATION - AMENDMENT APPROVED

Chairman Jordan reported the Law and Finance Committee recommends amending Ordinance 1983 - 167 (ordinance establishing the Raleigh Telecommunications Commission) to the end that the Commission would be enlarged to fifteen members and further amend the ordinance to delete the reference to the Access Corporation with the understanding the Council will charge the Telecommunication Commission with recommending to the Council the exact manner in which access is to be handled. On behalf of the Committee Mr. Jordan moved the recommendation be upheld. His motion was seconded by Mr. Keller and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ORDINANCE (1983) 218

AN ORDINANCE TO AMEND ORDINANCE NO. (1983) 167 ESTABLISHING THE RALEIGH TELECOMMUNICATIONS COMMISSION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Section 9-9002 entitled MEMBERSHIP be amended and made to read as follows:

"Section 9-9002 MEMBERSHIP

The Raleigh Telecommunications Commission (hereinafter referred to as the "Commission") shall be composed of fifteen (15) members, including a chairman, such members and chairman to be named by the City Council."

Section 2. That Section 9-9003 entitled TERMS OF MEMBERS be amended and made to read as follows:

"Section 9-9003 TERMS OF MEMBERS

The term of office of members of the commission shall be two (2) years, except that of the Fifteen (15) initial appointments, seven (7) shall be for one (1) year terms (not to include the chairman); thereafter all appointments shall be for two (2) years."

Section 3. That Section 9-9004 entitled POWERS AND DUTIES be amended and made to read as follows:

"Section 9-9004 POWERS AND DUTIES

6. To monitor the manner in which operation of the institutional and access networks is conforming with the intent of the cable standards ordinance and specific franchise agreements in force."

Section 4. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. That this ordinance shall become effective upon the date of adoption.

Adopted: 11/3/83

Effective: 11/3/83

FUNDING - PLANNED PARENTHOOD - APPROPRIATION MADE

Chairman Jordan reported the Law and Finance Committee recommends the City Council appropriate $7,500 from Revenue Sharing Reserve for the Planned Parenthood Program. On behalf of the Committee he moved the recommendation be upheld. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 214 TF 8.

PRIVATE BUS SERVICE - ENTERTAINMENT EXPRESS - APPROVED ON FIRST READING; TO BE PLACED ON NOVEMBER 15, 1983, AGENDA

Chairman Jordan reported the Law and Finance Committee recommends approving the application for the private bus service - Entertainment Express. This is with the understanding that this item would be placed on the Agenda for November 15, for a second and final reading. On behalf of the Committee Mr. Jordan moved the recommendation be upheld. His motion was seconded by Mr. Calloway. Mr. Jordan indicated as a point of personal privilege he would like to allow Mr. Perry of the CAT Drivers Association to speak. Without objection, this was agreed to.

Mr. Perry indicated the bus drivers of Capital Area Transit would like to express appreciation for the opportunity to speak. He stated at the hearing on this item several weeks ago they spoke and at that time, their opposition was not against Mr. Willard or the Entertainment Express but rather an appeal to the City Council to urge the Transit Authority and staff to explore ways to add additional service in a cost beneficial way. He stated their goal as the City's bus drivers to is to provide the best possible service for the least dollar. He called on the Council not to sit back and let others put forth all of the new ideas for transit service. He pointed out

the Entertainment Express isn't going to be like a regular route. Ms. Babb questioned if Mr. Perry is saying that Capital Area Transit could operate this as a special service with Mr. Walters indicating he would echo the drivers' wish that they be allowed to get that contract. In response to questioning, Mr. Perry indicated Capital Area Transit has not been asked to bid on this service. Ms. Babb questioned if the applicant for Entertainment Express is going to take bids or he already has a contract to operate the service with Mr. Perry pointing out again the drivers are not opposing Mr. Willard but they would just like to ask him to get in touch with them about the possibility of running the service. Ms. Babb stated she is concerned that we do everything possible to protect our transit system. She questioned how the applicant is going about looking for actually delivering this service. Mr. Willard indicated at this point he is having some trouble pointing out with the new DWI law, many of the bars are in a depression and he does not know whether they are going to be in the position to provide the transit service for their customers. He stated he plans to utilize Raleigh Transit Service buses for two different reasons. One is that he can get the buses 20% cheaper than he can get CAT buses and, in addition, he wants to put a beer sign on the bus and the City would not let him do that. He indicated, however, he has been told that the ABC Board would not allow the beer companies to advertise in this manner or would object to this manner of advertising. Ms. Babb questioned if Mr. Willard has a contract with Raleigh Transit Service with Mr. Willard indicating he does not yet as he has to get his application approved before he can go and sign a contract. He stated he feels this service is needed and he wants to provide the service.

City Attorney McCormick indicated Department of Transportation Director Blackburn has said many times that the City of Raleigh cannot compete with private enterprises because of the way we have to figure our charter service, etc. Mr. Jordan called on the Council to listen to what Mr. Perry has stated pointing out Mr. Perry is not opposing the Entertainment Express. He is just questioning why the Transit Authority or the City cannot come up with good ideas to go out and get business for the CAT system. He indicated Mr. Perry was saying that we should get out and find ways to make money. Mr. Walters pointed out the City has honored other requests for franchises that have never got off the ground and he feels that if this one is not going to work or if the City feels it will not work, then the City would be derelict in approving the business. Mr. Jordan indicated he feels a private enterprise has just as much right to succeed as it does fail, that here we have a person who wants to go into private business and it is not up to the City to decide whether it is going to succeed or fail. Other discussion followed after which Ms. Babb indicated she would commend Mr. Willard for the idea, however, she just feels that the City has missed the boat somewhere and she would be more comfortable if the CAT system were involved in this project with other Council Members indicating they did not think the CAT system could be involved because of the rates, etc. Ms. Babb indicated she had heard several times that the CAT system cannot compete on charter runs but she has never seen any figures and would like to know what is meant by we cannot compete. Mr. Calloway pointed out the City's Department of Transportation and the Transit Authority has said it would not be cost effective for the CAT system to run this operation. He indicated based on the Transit Authority's recommendation, as well as the staff's recommendation, the Law and Finance Committee recommended approval. Ms. Babb stated she feels this is a luxury item and she does not mind charging people for luxury items. She indicated she feels that you have to charge people enough to make something profitable. Mr. Edwards pointed out he thinks the City should do all it can to keep people who are leaving bars and are under the influence from being on the roads and he feels we should do whatever we can to accomplish this. After other discussion as to whether the CAT system has made a recommendation and the fact that Mr. Deaton of Capital Area Transit was at the Transit Authority meeting when they recommended that this application be approved, the motion, as stated, was put to a vote which resulted in all members voting in the affirmative except Ms. Babb and Mr. Walters who voted in the negative. The Mayor ruled the motion adopted.

ORDINANCE NO. (1983) 219

PRIVATE BUS SERVICE PERMIT

Issued to: Charles Grayson Willard, Jr.
3934 D Tara Drive
Raleigh, North Carolina 27609

Pursuant to Part 11, Chapter 5, of the Raleigh City Code, by the City of Raleigh, on the 15th day of November, 1983, and subject to the conditions listed herein:

I. Routes, Schedules, Fares

The private bus service shall operate, consist of, and be limited to fixed routes with fixed schedules and fares as described in the four attachments. Passengers may board and be discharged at locations to be determined by the permit holder; provided, that any bus stop locations may be changed in the interest of traffic and/or route safety at the discretion of the City of Raleigh. The service may utilize the following City Streets:

A. Six Forks Road, Tara Drive, Loft Lane, Wood Bend Drive, Hensley Drive, Miles Drive, Westbrook Drive, Lynn Road, Sandy Forks Road, Lake Hill Drive, Shanda Drive, Falls of the Neuse Road, Quail Ridge Road, Windy Hill Drive, Millbrook Road, Hardimont Road, Colby Drive, Wake Forest

Road, Hodges Street, Paula Street, McNeil Street, Creekside Drive, and Industrial Drive.

II. Insurance

Minimum insurance coverage and limits shall be as required for the North Carolina Utilities Commission Exempt Certificate and shall be maintained at all times by the permit holder.

III. Vehicle Inspections

The buses, at all times, shall be in compliance with the North Carolina Vehicle Inspection Law and shall meet or exceed the inspection requirements for the Exempt Certificate from the North Carolina Utilities Commission. Additional and Periodic vehicle inspections may be required at the discretion of the City Council to insure safe and reliable bus operations.

IV. Vehicle Descriptions

The following type buses shall be used in providing the services authorized under this permit:

Three each 1962 GMC Model No. 4517, 45 seat capacity or equivalent.

V. Term of Permit

This bus service permit shall expire one year from the date of approval. The permit shall remain valid only while the permittee or his agent/transportation provider holds a valid Exempt Certificate issued by the North Carolina Utilities Commission.

VI. Transferability

This bus service permit is nontransferable. The bus service may be provided only by or in the name of the permittee.

VII. Disclaimer of City Responsibility

The issuance of this permit in no way indicates any responsibility or obligation for the City of Raleigh to guarantee provision of this service.

APPROVED BY THE RALEIGH CITY COUNCIL ON November 3 & 15, 1983.

SEAL

/s/ Brenda N. Anderson
Dep. City Clerk and Treasurer

TAXICAB PERMIT - LEROY CHOPLIN - DENIED

Chairman Jordan reported the Law and Finance Committee recommends denying Mr. Choplin's request for reinstatement of his Taxicab Permit. On behalf of the Committee he moved the recommendation be upheld. His motion was seconded by Mr. Keller. Mr. Walters indicated he did not have all of the background of the Committee's discussion but from what Mr. Choplin told him he feels that this Council should consider reinstating his license. He indicated the earlier violation of Mr. Choplin related to his selling a pint of whiskey at the Fairgrounds and the last violation related to him being picked up for DUI while he was not working. He stated Mr. Choplin has paid his penalty and he feels that maybe the Council should consider reinstating his license. Lengthy discussion took place on the waiting period, the City laws and policies relating to reinstatment, previous Council action and the possible need of holding this in Committee until a six-month period has lapsed since the Council last denied his reinstatement request. Ms. Babb moved that the item be referred back to Law and Finance Committee to be reconsidered at the end of six months. Her motion was seconded by Mr. Walters. After other discussion, with Mr. Walters pointing out that this DUI violation occurred while Mr. Choplin was not on duty, he was on his own time and had nothing to do with his driving ability, the substitute motion to refer the item to Law and Finance Committee was put to a vote which resulted in all members voting in the negative except Ms. Babb and Mr. Walters who voted in the positive. The Mayor ruled the motion defeated. The original motion to deny the application was put to a vote which passed unanimously. The Mayor ruled the motion adopted.

SWIMMING POOLS - LOCATIONS OF POOLS 3 AND 4 - APPROVED

Chairman Jordan reported the Law and Finance recommends that the Council reaffirm its previous action to locate a swimming pool on the Longview Gardens site and that the other pool to be constructed next year be located on property owned by the City at Lake Johnson adjacent to the Athens School property. On behalf of the Committee Mr. Jordan moved the recommendation be upheld. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

PROFESSIONAL SERVICES - DESIGN OF NEXT TWO SWIMMING POOLS - ADMINISTRATION AUTHORIZED TO NEGOTIATE CONTRACT

Chairman Jordan reported the Law and Finance Committee recommends that Administration be authorized to negotiate a contract with the team of George Smart/L. E. Wooten to do the design for the next two swimming pools. On behalf of the Committee he moved the recommendation be upheld. His motion was seconded by Mr. Calloway. Mr. Walters stated he had no objection but he thought we were just going with the second alternative or the second selection from the last go-around. Mr. Jordan indicated the Law and Finance Committee invited all persons who submitted proposals on the first two pools to make a presentation to Law and Finance Committee. He stated three presentations were heard. Mr. Walters indicated he wished he had had knowledge that this was going on as one of these pools is in his area and he would have liked to have been in on the presentations. Discussion took place after the motion, as stated, was put to a vote and passed unanimously. The Mayor ruled the motion adopted.

RIDGE ROAD SWIMMING POOL - CHANGE ORDER - APPROVED

Chairman Jordan reported the Law and Finance Committee recommends approval of Change Order 18 in the amount of $20,408 in order to install riprap at the western and southern sites of the service drive as directed by NCDNRCD and the appropriate transfer to fund the change order. On behalf of the Committee he moved the recommendation be upheld. His motion was seconded by Mr. Keller and put to a roll call vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 214 TF 8.

TEXT CHANGE 216 - GROUP CARE RADIUS REQUIREMENTS - APPROVED AS AMENDED; QUESTION OF GROUP CARE FACILITIES - REFERRED TO HUMAN RESOURCES AND HUMAN RELATIONS ADVISORY COMMITTEE

Chairman Jordan reported the Law and Finance Committee recommends adoption of an ordinance which was attached to the Law and Finance Committee addendum relating to radius requirements for group care facilities. He stated this ordinance makes the radius requirements between group care, family care, etc., standard at one-half mile and also allows for the Board of Adjustment to grant an exception to that requirement within an area described in the proposed ordinance. He stated the Committee also recommends referring the whole question of group care facilities, definitions, radius requirements, etc., to the Human Resources and Human Relations Advisory Committee for study and any recommendations back to Council. On behalf of the Committee he moved the recommendation be upheld. His motion was seconded by Mr. Calloway.

Mr. Walters indicated the Council has not had an opportunity or time to read the proposed ordinance as it was just received by the Council a few seconds ago. He stated the Law and Finance Committee acted on this proposal just prior to this meeting and so no one, Council nor public, has had an opportunity to read it. He stated if we could table the proposal until later in the meeting or after a break to give Council Members an opportunity to study it, he would feel better. Therefore, Mr. Walters moved that the Council table the proposed ordinance relating to group care radius requirements until after the afternoon break. His motion was seconded by Mr. Edwards and passed unanimously.

Later in the meeting, after a break in the Council Meeting, the item was brought back up before the Council.

Mr. Walters indicated he felt it was absolutely ridiculous to bring a proposed ordinance that would be as controversial as the change being recommended by the Law and Finance Committee. He stated if the citizens of Raleigh knew that we were discussing this type ordinance, the room would be full. He stated there has been no public hearing on this change pointing out the change was based on an ordinance that was advertised over 1½ years ago and that ordinance was to make the radius requirements more strict and here we are with a proposal to lessen the requirements. He indicated Mr. Jordan and the Law and Finance Committee is trying to ramrod this through and he feels it is absolutely ridiculous pointing out he feels it is absolutely necessary that it go to public hearing, therefore, he would make a substitute motion that this proposal be denied and if anyone wants to bring it up for a public hearing then that would be okay. There was no second. He indicated he did not believe anything like this would happen and cannot believe the City Attorney or anyone else didn't let him or the other Council Members know what was going on. He stated an effort to try to ramrod something like this through the City Council, in his opinion, is absolutely absurd. Mr. Jordan indicated he takes direct offense to Mr. Walters comments pointing out this recommendation was the unanimous vote of the Law and Finance Committee. He stated a number of people were at the Committee meeting and no one spoke against the proposal, however, everyone supported the proposal. He indicated he thinks everyone knows and realizes that if the City doesn't make some changes in our ordinance that these organizations who are trying to help people will have to close down their operations. He pointed out there are only so many people that are willing and want to help others so he does not feel that we will be flooded with requests. He called on the Council to allow these people who want to help an opportunity to locate so that they can help others. He indicated all this proposal does is reduce the radius requirements between everything to one-half mile and then outlined an area in which the Board of Adjustment, after a public hearing and finding of certain facts, can waive this requirement. He indicated under our present ordinance and the organizations that are already established that the possibility of other groups going in the downtown area is almost eliminated. Mr. Jordan

indicated all Council Members received copies of the Committees' Agendas and this item was on the Agenda prior to discussion. He stated all Council Members are invited to attend any Committee meetings. He stated he did not feel that the Committee could do anything else to get the word out that a item is being discussed.

Mr. Calloway indicated he knew that possibly the Council would get some heat because of this decision and his district will be affected. He pointed out, however, there are people out there who are trying to render a necessary service and they should be given some encouragement. He stated he does not feel the reduction from three-fourths to one-half mile requirement will clutter up any neighborhood. He stated he felt very strongly about this proposal and was happy to see that the Planning Department work with the Committee and draft an ordinance that will allow these services to be rendered and at the same time not destroy any neighborhood. He stated he does not feel there was any attempt on anyone's part to fool anybody. Mr. Walters stated this isn't a new argument, that the overconcentration of social service type home is something that the citizens have told the governing body before they do not want. He explained how the original ordinance was written but pointed out if we pass the ordinance as proposed today we will have four or five homes like this in Oakwood and other older communities in the City. He stated he just did not see how we could advertise an ordinance to increase the radius requirement and then adopt an ordinance that would decrease it. Lengthy discussion took place with the City Attorney explaining the State requirements and what they regulate as far as radius, density, etc. It was pointed out the area described in the ordinance in which the Board of Adjustment could grant an exception or waive the requirement is basically the high density overlay. Mr. Walters stated we have neighborhoods in these areas and they are viable residential districts. He indicated he feels the next step would be to eliminate the radius requirements altogether and he just has to vote against any such proposal. The motion, as stated, was put to a vote which resulted in all members voting in the affirmative except Mr. Walters who voted in the negative. The Mayor ruled the motion adopted. See Ordinance 220 TC 201.

Mr. Upchurch indicated he would like to have Roland Gammon, Chairman of the Human Resources and Human Relations Advisory Committee to be allowed to speak. Without objection, this was agreed to. Mr. Gammon indicated he was before the Council as Chairman of the Human Resources and Human Relations Advisory Committee. Mr. Gammon briefly explained the work of the Committee recently and pointed out they appreciated the opportunity to participate in this discussion. He indicated yesterday with nine members of HRHRAC in attendance they recommended two things - one is to encourage the Council to take a broader look at the issue and the other would be to encourage the Council to take the action they just took and applaud the Council for a speedy resolution of this problem. He stated they would like the opportunity to continue their efforts to clarify the broader issue. The Council expressed appreciation for HRHRAC's willingness to look at this whole question with it being pointed out the recommendation of the Committee to refer the whole question of group care facilities definitions, radius requirements, etc. was approved which would refer the matter to HRHRAC for study and any recommendations and/or suggestions back to the full City Council.

ORDINANCE NO. (1983) 220 TC 201

AN ORDINANCE TO AMEND CRITERIA FOR GROUP CARE FACILITIES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA that:

Section 1. Section 10-2073(c)(21)c of the Raleigh City Code is hereby repealed, rewritten, and reenacted to read as follows:

"c. Over-concentration. In order to prevent the creation of a de facto social service district and to avoid impacting a residential neighborhood, no more than one such facility within a one-half mile radius (determined by straight line and not street distances) shall be permitted; nor shall any group care facility be located within any one-half mile radius (determined by straight line and not street distances) from any family care facility. This provision is intended to assure that the limited capacity of an existing neighborhood social structure to accommodate family care and group care facilities is not exceeded. This provision is also intended to protect existing family and group care facilities from the possibility that an over-concentration of such facilities might inadvertently create an institutional setting.

The radius requirements in this subsection may be varied if:

1. The facility is located in an area where a concentration of population to be served is such that more facilities than would be allowed under the one-half mile radius requirement are necessary; and

2. Permitting the facility will not be contrary to Redevelopment Plans, governmental programs for neighborhood conservation, rehabilitation, or revitalization, or the Comprehensive Plan; and

3. The facility is located within the following boundaries:

Beginning at the intersection of the center line of the right-of-way of Peace Street and St. Mary's Street, then following the center lines of the following rights-of-way: easterly along Peace Street to Person Street,

Person Street to East Edenton Street, East Edenton Street to East Street, East Street to South Street, South Street to the Southern Railway tracks, Southern Railway tracks to Boylan Avenue, Boylan Avenue to West Hargett Street, West Hargett Street to St. Mary's Street, St. Mary's Street to the point of beginning.

The facility will be subject to the one-half mile radius requirement if it is found that eliminating this requirement will create a de facto social service or welfare district, to the detriment of the neighborhood, due to a concentration of similar facilities, emergency shelters or family care facilities.".

Section 3. All ordinances and clauses in conflict herewith are hereby repealed to the extent of said conflict.

Section 4. This ordinance has been adopted following a duly advertised joint public hearing of the Raleigh City Council and the City Planning Commission following a recommendation of the Planning Commission.

Section 5. If this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or application of the ordinance which can be given separate effect and to this end the provisions of this ordinance are declared to be severable.

Section 6. This ordinance shall be enforced as provided in N.C.G.S. 160A-175 or as provided in the Raleigh City Code.

Section 7. This ordinance shall become effective immediately following its adoption.

Adopted: November 3, 1983

Effective: November 3, 1983

SPECIAL COMMITTEE ON POLICE AFFAIRS - SUGGESTION - REFERRED TO ADMINISTRATION

Mayor York indicated as long as Mr. Gammon, Chairman of Human Relations and Human Resources Advisory Committee, is at the meeting he would like permission to bring up an item. He indicated the Special Committee on Police Affairs has made various recommendations along the way that have already been approved. He indicated one matter that remains in the Committee is how to be in the position to respond to any community tensions that may arise. He indicated he would like to make a suggestion to the City Council and ask Administration to work up more specific guidelines on this so that it could be considered at the next meeting. He indicated the last recommendation on the request for Civilian Review Board that was considered was the following: Keep this Committee, the Special Committee for Police Affairs, of three Council Members intact. The Committee would handle any matters of concern involving the Police Department and the citizenry. On a four-month rotation basis one Council Member of the Committee would sit in on the Internal Affairs hearings, meetings, as appropriate. There would be two non-voting members of the Committee, at least one of which would be a minority, appointed by the City Council. The two non-voting members would be for two-year terms and would be appointed through the normal appointment process. Mayor York indicated that he would suggest that rather than having the two non-voting members, consider the possibility of the Human Resources and Human Relations Advisory Committee be the advisory group to the City Council Committee. They would be the Board, the HRHRAC, to hear complaints and to meet with any citizenry as it would relate to community tension. He indicated what he would like to do is ask Administration to see if they could work up some guidelines along this suggestion that would allay their problems but would give the Council some way to deal with community tension when it happens to arise. He stated he feels the City needs to have some way to respond to the Committee and he feels that letting the HRHRAC be the committee and be an advisory to the City Council Special Committee would be good. He stated he would like for everyone to have an opportunity to think about this and let Administration work on it and report back at the next meeting. Ms. Babb indicated she felt that is a very good idea and she feels that we should proceed with Mr. Gammon indicating he feels that this type of recognition is fine and he feels that the HRHRAC would be happy to work in this capacity. Brief discussion took place after which the matter was referred to Administration for development of some guidelines so that there would be no misunderstanding of the official capacity of HRHRAC in this matter and ask Administration to report back for Council action.

REPORT AND RECOMMENDATION OF THE PUBLIC WORKS COMMITTEE

SUNSET TERRACE - INTERPRETATION ON RECOMBINATION OF PROPERTY - APPROVED

Chairman Edwards reported it is the opinion of the Public Works Committee that the property recombination, as most recently submitted, more closely conforms with the City Code than the previous property alignments and, therefore, it is recommended that the revised proposal be approved. (A copy of the recommended proposal was available at the meeting.) On behalf of the Committee, Mr. Edwards moved the recommendation be upheld. His motion was seconded by Mr. Upchurch and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

WATER REQUEST - TOWN OF CARY - APPROVED WITH PROVISIONS

Chairman Edwards reported the Public Works Committee recommends approval of the additional two million gallons of water per day for Cary and the incorporation into the agreement with Cary the City's previous commitment of 200,000 gallons per day to the RDU Airport subject to the following provisions:

(1) The full 1983-84 construction interest financing cost is to be paid prior to June 30, 1984;

(2) The agreement between Cary and the RDU Airport will be subject to review and approval of the City of Raleigh, and would be consistent with the terms considered by the City when this allocation was made in 1982; and

(3) The pumping from the Raleigh system will be primarily through the Highway 54 Pump Station.

On behalf of the Committee, Mr. Edwards moved the recommendation be upheld. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

DRIVEWAY ACCESS - STRICKLAND AND CREEDMOOR ROADS - APPROVED CONDITIONALLY

Chairman Edwards reported the Public Works Committee recommends approval of a driveway access on Creedmoor Road using the following method: a triangular shaped island in the driveway to allow right turns only and a deceleration taper of 100 feet. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Upchurch and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

TRAFFIC - CAMERON PARK AREA - CHANGES MADE; ITEM RETAINED IN COMMITTEE

Mr. Edwards reported the Public Works Committee recommends approval of the following actions to improve traffic problems in the Cameron Park area:

(1) Establishment of "No Parking Zone" on the southeast side of Calvin Road from College Place northward 100 feet.

(2) Changing "Yield" signs to "Stop" signs on Hillcrest Drive at Park Drive and Forest Drive and West Johnson Street.

On behalf of the Committee, Mr. Edwards moved the recommendation be upheld. His motion was seconded by Mr. Upchurch. Mr. Edwards pointed out there was a speed survey conducted and it bears out the fact that there is speeding occurring in this area and the Police have been asked to assign a radar unit to try to alleviate the situation. The motion, as stated, was put to a vote and passed unanimously. The Mayor ruled the motion adopted. See Ordinance 215.

BRIDGE DEMOLITION AND REPLACE - CONTRACT AWARDED TO WILSON CONSTRUCTION COMPANY

Chairman Edwards reported the Public Works Committee recommends that bids for both Fayetteville Street projects be awarded to Wilson Construction Company in the amount of $108,420 and further recommends they transfer $4,421 for this project. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 214 TF 8.

STREET IMPROVEMENTS - BARRINGER DRIVE - RESOLUTION DIRECTING PROJECT ADOPTED

Chairman Edwards reported the Public Works Committee recommends adoption of a resolution directing the installation of curbs, gutters, drains, and paving 31 feet back-to-back with 1½-inch asphalt surface on a 5-inch stone base on Barringer Drive between Jones Franklin Road and Jones Franklin Road. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION (1983) - 379

A RESOLUTION DIRECTING THAT STREET IMPROVEMENTS DESCRIBED HEREIN BE MADE AND THE COST THEREOF ASSESSED

WHEREAS, by virtue of Article 10 of Chapter 160A of the General Statutes of North Carolina, as amended, the City Council of the City of Raleigh is authorized to direct that street improvements be made and the costs thereof assessed against abutting property owners; and

WHEREAS, a preliminary resolution indicating the intent to undertake the project has been adopted by the City Council and a public hearing thereon duly held;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following improvements be made and the costs thereof assessed against the abutting property pursuant to Article 10 of Chapter 160A of the General Statutes of North Carolina:

Installation of curbs, gutters, drains and paving 31 feet back-to-back with 1½ inch asphalt service on a 5-inch stone base on Barringer Drive between Jones Franklin Road and Jones Franklin Road.

Section 2. The proportion of the cost in making the aforesaid street improvements to be assessed upon an abutting property owner, to the extent that the same shall be assessable under the provisions of Resolution No. 280, as amended, shall be as follows: 100 percent of the total cost of said respective improvements which are assessable under Resolution No. 280 (i.e. one half of each street to be improved shall be assessed and charged against the lots and parcels of land abutting directly on the respective improvements, according to the extent of their respective frontage thereof by an equal rate per foot of such frontage exclusive of so much of the cost as is incurred at street intersections in improving street intersections; the remainder of the total cost including street intersections to be borne by the City of Raleigh).

Section 3. That property abutting on the street to be improved shall be connected with water mains, sewer mains and gas mains (if gas mains are available) located in the street adjacent to their several premises in a manner as prescribed in the Plumbing Code of the City of Raleigh and the cost thereof shall be specially assessed if the particular lot or parcel of land for and in connection with which said connections are made, as provided by Article 10 of Chapter 160A of the General Statutes of North Carolina.

Adopted: 11/3/83

LAKE BOONE TRAIL - CURVE - IMPROVEMENTS AUTHORIZED

Chairman Edwards reported in order to increase the safety of this curve, the Committee recommends widening the pavement in the curve and sloping the bank that currently blocks the view of cars approaching the curve, all within the existing right-of-way. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Upchurch and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

THE COUNCIL TOOK A FIFTEEN MINUTE BREAK BETWEEN 2:30 P.M. AND 2:45 P.M.

PUBLIC NUISANCE - 2812 SYLVESTER STREET - TO BE CORRECTED UNDER CITY POLICY; MAYOR AUTHORIZED TO SIGN AGREEMENT

Mr. Edwards reported the Public Works Committee recommends that the City policy of the City paying one-half of the cost of correcting the drainage problem at 2812 Sylvester Street be applied to correct this problem as it was determined that the problem is endangering the street. The Committee also recommends that Administration be authorized to work out an agreement to allow the property owner to pay their part in correcting the problem over a period of time rather than paying their share in a lump sum and that the Mayor be authorized to sign the agreement. On behalf of the Committee, Mr. Edwards moved approval of the recommendation. His motion was seconded by Mr. Upchurch and put to a roll call vote which passed unanimously. The Mayor ruled the motion adopted.

REPORT AND RECOMMENDATION OF THE COMPREHENSIVE PLANNING COMMITTEE

REZONING Z-98-83 - WAKE FOREST ROAD - APPROVED - ORDINANCE ADOPTED

Chairman Calloway reported the Comprehensive Planning Committee recommends that the Planning Commission's recommendation (CR-3012) be upheld; that is, rezone Parcel 377, Tax Map 409, to Neighborhood Business. The property is located on Wake Forest Road, east side, between Forest Ridge Road and Ronald Drive. On behalf of the Committee, Mr. Calloway moved the recommendation be upheld. His motion was seconded by Ms. Babb. Planning Director Chapman explained the location and the proposal. The motion, as stated, was put to a vote and passed unanimously. The Mayor ruled the motion adopted. See Ordinance 221 ZC 128.

REZONING Z-89-83 - SIX FORKS ROAD - APPROVED AS AMENDED - ORDINANCE ADOPTED

Chairman Calloway reported the Comprehensive Planning Committee recommends that Parcels 37 and 39 and portions of Parcels 9 and 31, Tax Map 324, be rezoned to Residential-10 (approximately 19 acres) with the understanding that the northeast boundary of the Residential-10 zoning will be according to a map entitled, "Sketch Plan to Connect Dartmoor and Featherstone Drives," as drawn by Bass, Nixon and Kennedy, dated August 30, 1983. On behalf of the Committee, Mr. Calloway moved the recommendation be upheld. His motion was seconded by Mr. Edwards and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ORDINANCE 1983 221 ZC 128

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF RALEIGH, WHICH INCLUDES THE ZONING DISTRICT MAP.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Section 10 of the City of Raleigh Code, which includes the Zoning District Map, be and the same is hereby amended as follows:

(a) Six Forks Road, being parcels 37 and 39 and portions of parcels 9 and 31, Text Map 324, rezoned to Residential-10 (approximately 19 acres) with the understanding that the northeast boundary of the Residential-10 Zoning will be according to a map entitled, "Sketch plan to connect Dartmoor and Featherstone Drives," as drawn by Bass, Nixon, and Kennedy dated August 30, 1983. The rezoning is according to map on file in the City of Raleigh Planning Department entitled, "Z-89-83-Six Forks Road". (Z-89-83)

(b) Wake Forest Road, Eastside, being parcel 377, Tax Map 409, rezoned to Neighborhood Business (Z-98-83).

Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall become effective on November 3, 1983.

Adopted: November 3, 1983

Effective: November 3, 1983

COLLECTOR STREET PLAN AMENDMENT - PORTION OF MORGANS WAY - PUBLIC HEARING AUTHORIZED

Chairman Calloway reported the Comprehensive Planning Committee recommends that a public hearing be scheduled for Tuesday, November 15, 1983, before the City Council and Planning Commission, to consider amending the Collector Street Plan which is a part of the Comprehensive Plan by deleting Morgans Way between Bridgeport and Creedmoor Roads. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Edwards and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

COLLECTOR STREET PLAN AMENDMENTS - REFERRED TO ADMINISTRATION

Chairman Calloway reported the Comprehensive Planning Committee recommends that Administration study methods and standards by which the current approach of designating collector streets on a map in the Comprehensive Plan be replaced with a statement in the plan which describes standards and conditions under which collector streets are to be provided. This would allow for the actual map in the Comprehensive Plan to be replaced by these standards thereby eliminating the lengthy hearing process that is required to amend the plan. This information is to be brought back to the Council for study and recommendations and, possibly, referral to the appropriate committee. On behalf of the Committee, Mr. Calloway moved the recommendation be upheld. His motion was seconded by Mr. Edwards and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

REPORT AND RECOMMENDATION OF THE HISTORIC PROPERTIES COMMISSION

HISTORIC PROPERTIES COMMISSION - PRESENTATION MADE

Calvin Parks, Vice Chairman of the Historic Properties Commission, was at the meeting and on behalf of the Commission presented each Council Member with a copy of the recently published book, Early Raleigh Neighborhoods and Buildings. He explained how the book was published and what it includes. He commended members of the Commission, Planning Department, Archives and History, and Linda Harris for their efforts in getting this book published. He briefly explained what is included in the book pointing out the book includes a fine history and physical layout of the early Raleigh neighborhoods. He stated it also includes guidelines that were approved by the City Council last year. He explained a project that is taking place near the Governor's mansion that has been following these guidelines. Mayor York, in accepting the publication, indicated it looks like a tremendous effort Raleigh citizens will enjoy reading and utilizing the information. Mayor Pro Tem Walters also commended the Properties Commission and indicated Vice Chairman Parks had a big part to play in this effort.

REPORT AND RECOMMENDATION OF OF THE DOWNTOWN COMMITTEE

CRANSTON CORPORATION DEVELOPMENT - CONCEPT APPROVED - ITEM RETAINED IN COMMITTEE

Mayor York indicated the Downtown Committee recommends approval of the new preliminary design concept for the Cranston Corporation Development so that Cranston can proceed with their work and that the item remain in Committee for further study and work. Mayor York indicated this is a change in the concept from what was previously presented and called on Planning Director Chapman to explain the new concept.

Planning Director Chapman indicated the new concept focuses more clearly on the retail aspect and utilizes the City Market building itself. He indicated the new concept includes the block founded by Martin, Davie, Blount and Person, utilizes water treatments, boundary walls, all of the existing buildings with the exception of the Artspace and the four-story building located at the corner of Martin and Blount Streets. He indicated the Artspace building would be incorporated into the concept but would be for Artspace. He explained the existing four-story building would be replaced with a two-story building which would be a duplicate of the adjoining building. He indicated this would be done to emphasize the approach to the Market Project itself. He indicated the City Market building would be utilized for food service, such as a restaurant or sale of foodstuff, etc. He indicated the new concept also includes a public events space which would include a small stage, landscaping, etc. He explained under the new proposal that the parking would be surface parking on approximately one-half block space to the south of Davie Street. Mr. Chapman utilized the renderings developed by Cranston Corporation in making this presentation. He explained that Phase II would be the connection in the arcade-type project with Mayor York pointing out Phase II is a possibility but it doesn't tie up the property if individuals owning property or other individuals would like to come in and develop in the Phase II area. Brief discussion took place after which Ms. Babb moved that the Downtown Committee's recommendation be upheld. Her motion was seconded by Mr. Edwards and passed unanimously. The Mayor ruled the motion adopted.

CAROLINA REGIONAL THEATRE - REQUEST FOR FUNDS - REFERRED TO DOWNTOWN COMMITTEE

Mayor York indicated the Downtown Committee recommends approval in concept of the $75,000 loan to Carolina Regional Theatre and directs that Administration work with representatives of Carolina Regional Theatre on a specific agreement to present to City Council. A copy of the proposed agreement was included with Council Members' Agenda packets.

Civic Center Director Roger Krupa indicated Finance Director Hill has a recommendation relating to page 17 and read the recommendation which would relate to how profits of the Carolina Regional Theatre would be utilized with Mr. Krupa indicating it was felt that this was needed in the proposed contract to protect the City. In response to questioning, Finance Director Hill indicated the original proposal that was presented to the staff was that if the City would support this project initially, then they would, in turn, operate and be an agent of the City in carrying out the theatre program. Mayor York indicated he felt that this was a total change in the concept of what the Committee talked about. He indicated to him this is a completely different approach or a whole new approach. He indicated it may be something that the City would want to include but he does not feel that this is the way it was presented and agreed upon at the Committee. He stated the original concept was something similar to what we do for the North Carolina Symphony and it was his feeling that the City would provide free space for the Regional Theatre to operate and loan them money which would be paid back but he didn't think that the City would be getting into the operation of the theatre with Mr. Walters agreeing that what is being proposed today is a completely different concept than what was discussed at the Committee meeting. After brief discussion Mr. Edwards moved that the request for funds - Carolina Regional Theatre and the proposed contract be referred back to Downtown Committee. His motion was seconded by Mr. Walters and passed unanimously. The Mayor ruled the motion adopted.

DOWNTOWN COMMITTEE MEETING - DATE SET

Mayor York indicated he had received a memo from the Manager relative to the need for a Downtown Committee meeting. After brief discussion by general consensus it was agreed the next Downtown Committee meeting would be on Monday, November 14 at 4:00 p.m.

REPORT AND RECOMMENDATION OF THE WORK SESSION

HOUSING STUDY - IMPLEMENTATION BY THE CITY - GOALS ESTABLISHED - ITEM REFERRED TO ADMINISTRATION

Mayor York indicated in Work Session it was recommended that Administration be requested to submit for Council consideration a complete proposal for preparing a "Comprehensive Housing Policy" which will include:

(1) A quantified assessment of housing needs.

(2) An analysis of existing and needed resources (legal, administrative, and financial).

(3) Identification of housing objectives and strategies for accomplishing the objectives.

(4) Suggestion of goals for number of units.

(5) Specific recommendations on expediter.

Administration was also asked to present at this meeting specific goals on housing needs for 1984. They are as follows:

Downtown Housing:		
New Bern		20 Units
Phase I		60 Units
Sir Walter Apartments		26 Units
	TOTAL	106 Units
Southeast Raleigh:		
CD Area		30 Units
DHIC		14 Units
Bragg Street		90 Units
	TOTAL	134 Units

The above units do not include development by private developers without any City aid.

On behalf of the Committee, Mr. Jordan moved the recommendation be upheld. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

REPORT AND RECOMMENDATION OF THE REAL ESTATE COMMITTEE

HOUSING AUTHORITY - FAIR MARKET DISPOSITION VALUES - SET

Chairman Walters indicated the Real Estate Committee recommends that the fair market disposition values and the corrected fair market acquisition values, as shown below, be approved with a further recommendation that the fair market disposition value on Tract 4 and Tract 5 on South Blount Street be established at $9,968. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Jordan and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

The values were as follows:

Fair Market Disposition Values:

	PARCEL	VALUES
A.	South Blount Street UR - Disposal Tract 4	$ 9,400.00
B.	South Blount Street UR - Disposal Tract 5	375.00
C.	South Swain Street B0059-0016, 0017, 0018	200.00
D.	South Swain Street B0059-0013, 0014	200.00
E.	South Swain Street B0059-0003, 0004, 0005	9,300.00
F.	South Swain Street B0059-0001 & 0002	200.00
G.	504-12 East Martin Street B0003-0011	10,800.00
H.	709-11 East Davie Street B0009-0031	3,750.00
I.	230 South Swain Street B0002-0028	7,300.00
J.	South East Street B0217-0017	4,500.00
K.	South East Street B0217-0015	4,500.00
L.	South East Street B0217-0013	4,700.00
M.	Bragg Street B0217-0019	3,400.00
N.	Bragg Street B0217-0020	3,400.00

Correct Fair Market Acquisition Value:

PARCEL	INCORRECT VALUE	CORRECTED VALUES
A. 410 East Martin Street A0043-0015	$ 1,200.00	$ 6,100.00

SANITARY SEWER EASEMENT - ABANDONED CONDITIONALLY

Chairman Walters reported the Real Estate Committee recommends that the existing 40-foot wide sanitary sewer easement, no longer needed for a force main into the Crabtree Creek outfall, now in conflict with the development of proposed Sunnybrook Village be abandoned, upon the condition that these developers will install a sewer service up to Sunnybrook Road opposite the Rawls Drive sewer location within six months. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Edwards and passed unanimously. The Mayor ruled the motion adopted.

OLD LASSITER MILL PROPERTY - CITY TO ACCEPT CONDITIONALLY

Chairman Walters reported the Real Estate Committee recommends that the City accept the dedication of approximately 4.8 acres of the Old Lassiter Mill property as greenway in return for portions of the Old Lassiter Mill Road right-of-way. As a part of an agreement between the City and Thom Williams and Associates the following will be understood:

A. The City will agree to pay one-half of the cost for the sanitary sewer lift station and force main to serve lots 1, 2, 3, and 4.

B. The City agrees to assist the developers in acquiring a 20-foot wide off-site sewer easement, if necessary.

C. The City agrees to re-surface Old Lassiter Mill Road from New Lassiter Mill Road to a proposed cul-de-sac built by the City which is to serve lots 1, 2, 3, and 4.

D. The maintenance of the Old Mill Site will be determined by the Council upon recommendation from the City Greenway Staff and Thom Williams and Associates, or their representative.

E. Mr. Thom Williams agrees to dedicate approximately 4.8 acres including the Lassiter Mill Dam and the Old Lassiter Mill foundation to the City as greenway.

F. Mr. Thom Williams agrees to extend the storm drainage system from Hertford Street to the existing storm drain in Old Lassiter Mill Road.

G. Mr. Thom Williams agrees to dedicate to the City a 20-foot wide water main easement across lots 7 and 8.

H. Mr. Thom Williams agrees to pay one-half of the cost to install the required lift station and related force main to serve lots 1, 2, 3, and 4.

Assistant City Manager Benton explained the areas that the City would accept utilizing a map available at the meeting which showed the areas outlined in green. He stated, basically, it is south of the old road to the west of the old bridge plus the beach area. In response to questioning Mr. Benton indicated sewer service to these four lots would involve a lift station and the City would share in the cost according to the proposal from Mayor York. City Manager Zachary indicated the bridge would be taken down and used somewhere else in the greenway. Mr. Edwards pointed out that the condition relating to the City paying one-half the cost of the lift station and force main is according to a policy that was adopted by the City in order to aid in infill development. He spoke to this policy briefly. Mr. Keller indicated the Parks and Recreation Advisory Board reviewed this proposal and they very enthusiastically and unanimously endorsed it. On behalf of the Committee, Mr. Walters moved the recommendation, as outlined, be upheld. His motion was seconded by Mr. Edwards and passed unanimously. The Mayor ruled the motion adopted.

REPORT AND RECOMMENDATION OF THE INTERGOVERNMENTAL COMMITTEE

NONE

REPORT AND RECOMMENDATION OF THE CITY MANAGER

SALISBURY STREET PARKING DECK OPERATION - AGREEMENT WITH McLAURIN AUTHORIZED

McLaurin Parking Company has submitted a written proposal for the continued operation of the South Salisbury Street Parking Deck through 1984. The present lease contract with McLaurin expires at the end of 1983.

McLaurin has proposed to continue operating the deck under the same formula for revenue to the City as that used in 1983 which is as follows: $8,000 per month minimum plus any amount in excess of the $8,000 minimum based upon the following formula - 60.5 percent of the monthly gross up to $150,000 annual gross to date, 65

percent of the monthly gross from $150,000 to $200,000 annual gross, and 75 percent of the monthly gross after the annual gross revenue exceeds $200,000.

McLaurin has also proposed some minor improvements in the operating contract in the areas of custodial services and deck maintenance.

Administration projects that the operation of the deck during 1984 under this contract will result in $138,000 revenue to the City. The 1983 revenue is projected at $116,000.

Recommendation: Approval of the McLaurin proposal and authorization to proceed with the appropriate agreement document is recommended.

City Manager Zachary briefly explained the proposal pointing out that the use of the Parking Deck is very good. Mr. Upchurch moved the recommendation, as outlined, be upheld. His motion was seconded by Mr. Edwards and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

EXTRATERRITORIAL JURISDICTION - PROPOSED ZONING - PUBLIC HEARINGS AUTHORIZED

A request was made in March, 1983, by John Graham on behalf of the heirs of A. J. Honeycutt to extend the City's extraterritorial jurisdiction north of Perry Creek Road so that the owner may develop the property (about 275 acres) tying on to City water (line in Perry Creek Road).

On October 17, 1983, the Wake County Commissioners approved the extension and the City now needs to apply its zoning as soon as possible. The 275 acre tract is currently zoned General Business, Highway District, and Residential-30.

Recommendation: It is recommended that the City Council:

(1) Authorize a rezoning advertisement for the January zoning hearings to zone the property Thoroughfare District and Residential-4.

(2) Authorize an advertisement for the January zoning hearings to amend the official extraterritorial jurisdiction map to include this tract.

Mr. Upchurch moved the recommendation, as outlined, be upheld. His motion was seconded by Ms. Babb and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

CIVIC CENTER RENOVATIONS - CONTRACT WITH HASKINS AND RICE - APPROVED

The City Council, at the last meeting, authorized Administration to attempt to negotiate a contract with Haskins and Rice for final design construction inspection of proposed renovations to the Civic Center.

Administration has negotiated an agreement and Council Members' Agenda packets included copies of that part of the agreement concerning "compensation."

Recommendation: Approval of the agreement is recommended. Mr. Edwards moved the recommendation be upheld. His motion was seconded by Mr. Upchurch and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ASBESTOS INSPECTION - CONTRACT WITH RALPH SELF - APPROVED - FUNDS APPROPRIATED

The Council, at its last meeting, authorized Administration to attempt to negotiate a contract with Ralph Self, Asbestos Consultant, P.E., for this work.

A copy of the proposed contract and other supporting documents was included with Council Members' Agenda packets.

Recommendation: Approval is recommended. If approved, a Capital Project Initiation Form in the amount of $19,100 will need approval. Mr. Edwards moved the recommendation, as outlined, be upheld. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 214 TF 8.

THE SPORTS SHOW - CONTRACT WITH NATIONAL WILDLIFE FEDERATION - APPROVED

The Sports Show, in the early spring at the Civic Center, has been co-sponsored for two years by the City and the North Carolina Department of Natural Resources and Community Development. The State Department notified us, soon after the last show, that they did not wish to participate in the show in the future. The National Wildlife Federation wishes to co-sponsor the show with the City. A copy of the proposed contract will be included with Council Members' Agenda packets.

Civic Center Director Roger Krupa and representatives of the Civic Center explained that the local organization of the National Wildlife Federation includes some 40,000 members. It was indicated that the Wildlife Federation will fill a lot of void that we have in this show and will provide extra people to work with the Civic Center. He indicated the money involved will be balanced off in booth sales and the National Wildlife Federation plans to bring in animals, celebrities, etc. Mr. Keller indicated he feels this is a wise choice for sponsoring The Sport Show pointing out this is

the largest federation of this type in the world and they are leaders in their field. He indicated the National Wildlife Federation was surprised that the State did not want to be involved in this event. Mr. Walters moved the proposed contract as submitted be approved. His motion was seconded by Mr. Edwards and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

PERSONNEL - ADDITIONAL BUILDING INSPECTOR POSITION - APPROVED - FUNDS APPROPRIATED

The Inspection Division for the past six months has been experiencing a demand on personnel which is exceeding our capability to provide the minimum level of Code enforcement. We have made numerous internal as well as external procedural changes in order to adapt to the changing demands from the construction/development industry, for which we have the responsibility to enforce local as well as State laws.

A few recent facts to focus on are:

(1) Total residential units for July through September, 1982, was 510 versus 1,880 units for the same three-month period of 1983. An increase of over 269%.

(2) Non-residential construction for July through September, 1982, was valued at $21.3 million. The total for the same period of 1983 was $27.3 million. A 28% increase.

(3) Total construction valuation for July through September, 1982, was $54.3 million versus $102.8 million for the same period of 1983. A 89% increase.

Of immediate concern is for relief of the ever increasing demand in request for building inspections. The average for 1982 was 14.8 inspections per day per inspector. The past six months of 1983 have risen to an average of 18.6 inspections per day per inspector. We request consideration for an additional Building Inspector III, Pay Grade 32, to be authorized on a permanent full-time basis as soon as possible. The cost for personnel and equipment for the remainder of this year is $19,055.

Recommendation: Approval is recommended and, if approved, an appropriate transfer in the above indicated amount is recommended. Mr. Edwards moved approval of the recommendation, as outlined, which was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 214 TF 8

BRAGG STREET HOUSING PROPOSAL - APPROVED

During the September 20, 1983, Council Meeting, the Law and Finance Committee made a number of recommendations about the recommendations of the Private Sector Housing Committee.

Among these were a request for Administration to proceed with activities necessary for implementing the Bragg Street housing opportunity project including:

(1) Developing an alternative alignment for Eastern Boulevard and revising the Thoroughfare Plan.

(2) Amending the South Park Redevelopment Plan to include the site.

(3) Develop detailed procedures and criteria for site disposition.

Items (1) and (2) have been initiated.

A presentation will be made at the City Council Meeting relative to the number and kinds of units that Administration will recommend for the Bragg Street site.

The Real Estate Division is working on an updated appraisal of the Bragg Street property. The appraisal should be completed and ready for City Council consideration on November 15, 1983.

The solicitation package for developers will be ready for City Council consideration on November 15, 1983.

Community Development Director Wray presented the concept of the site plan. He explained earlier in the Agenda the Council approved a goal for 90 units on the Bragg Street opportunity project pointing out this is a 9.7 acre tract. He explained the area in general where the new units would be located along State Street, Smithfield Street, the Biltmore Hills and their proximity to the Biltmore Hills Apartments. Mr. Wray explained the topography, existing zoning and the fact that it would allow some 150 units but they feel that is too much, therefore, they are scaling the project down to something in the line of 90 units. Availability of water and sewer and the proposed lot layout was discussed briefly. Mayor York questioned the street going all the way through the project and the possible need for sidewalks. Mr. Upchurch questioned if it is feasible to develop this land at the level being suggested considering the cost of the land with Community Development Director Wray pointing out presently the land is zoned Residential-20 and we would need to let the appraisers know that we are dealing with 10 or so units per acre but we could get 20 units per acre. Whether to put restrictions was discussed briefly and after other discussion, Mr. Upchurch moved approval of the concept which was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

GREEN ROAD PARK PLANS - MASTER PLAN AMENDED CONDITIONALLY - FUNDS APPROPRIATED

City Manager Zachary presented the Green Road Park Plans explaining the master plan that has been approved by the City Council and the fact that the City Council has funded the project and the architect has been selected and has started designing the Community Center. He indicated Administration feels that the fire station should be moved from the Green Road Park site and Administration would recommend amending the master plan by removing the fire station from the site and moving the Community Building about the width of the building and make it a one-story building. He indicated the architect has done enough work on the two-story building that it will cost an additional $9,000 to amend the plan, compensate the architect and do the reworking of the plan. He indicated the building is proposed to be roughly 14,500 square feet and our major Community Centers are in the range of 15,265 feet. He indicated, in summary, Administration recommends amending the master plan by deleting the fire station location, shift the Community Center to the new location, appropriate $9,000 for redesign so that the building will be a one-story building of approximately 5,265 square feet. Discussion took place with Mr. Walters questioning why the two-story building was proposed, the fact that he feels a one-story building would be better and he feels the fire station should be located in a more centralized place than Green Road Park. After brief discussion, Mr. Walters moved that Administration's recommendation be upheld subject to approval by the Green Road Master Plan Committee. His motion was seconded by Mr. Jordan and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 214 TF 8.

PARKS AND RECREATION OFFICE BUILDING ON WADE AVENUE - FEASIBILITY STUDY FOR EXPANSION - CONTRACT AWARDED TO WILLIAM CLYDE McGEE - CONDITIONALLY

The original architect on the job was William Clyde McGee (Cy McGee). Mr. McGee indicated he would do this work for a fixed fee of $3,000. Mr. McGee indicated that the above fixed fee would be deducted from his contract if he were to design the actual expansion. The added space is a result of the new Revenue and Special Facilities Division, the transfer of Special Populations personnel out of the Jaycee Community Center meeting space, and the gradual growth of a small administrative section. The expansion is expected to be approximately 2,200 square feet.

Recommendation: Approval is recommended if the architect will also explore the feasibility of using one of the Methodist Home Park buildings in lieu of an addition to the current Recreation Office Building. Mr. Edwards moved Administration's recommendation be upheld as outlined. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 214 TF 8.

ADDENDUM

PRIVILEGE LICENSES - MARDI GRAS, LIMITED - APPROVED CONDITIONALLY

This was an application from Mardi Gras, Limited, 2410 Paula Street, in the name of the owner, Kirk Smith. The licenses being applied for include a dance hall, public club with live entertainment, classified as a Class II entertainment center. The Police report indicates approval. The Inspections Division is recommending a conditional approval upon compliance of all Building and Zoning Code items. Ms. Babb moved that the privilege licenses be approved with the condition outlined on the Addendum. Her motion was seconded by Mr. Jordan and passed unanimously. The Mayor ruled the motion adopted.

TRANSFERS - TRANSPORTATION AND COMMUNITY DEVELOPMENT - APPROVED

The Addendum presented a transfer in the amount of $15,000 to cover the cost of installation of bus shelters in the Transportation budget and a transfer in the amount of $834,934.24 in the Community Development Department. The transfer of funds within the CD Department budget is to fund those downtown projects that have been specifically designated by the Council and set up specific amounts for the New Bern Place, Downtown East Project and Sir Walter Apartments. Mr. Calloway moved the transfers as outlined be approved. His motion was seconded by Mr. Keller and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 214 TF 8.

BID REQUEST 83-33 - SALE OF SURPLUS VEHICLES AND EQUIPMENT - VARIOUS BIDS ACCEPTED

Pursuant to advertising as required by law, bid received and publicly opened in the office of the Purchasing Agent on Tuesday, November 1, 1983, for the sale of surplus city vehicles and equipment. Administration recommends that the following awards be accepted:

ITEM#	DESCRIPTION	HIGH BIDDER	AMOUNT
1.	1980 Chevrolet Impala	Dale Tate	$ 899.99
2.	1980 Chevrolet Impala	Riverside Auto	1,050.00
3.	1976 Chevrolet 4 Door	J. L. Ham	341.00
4.	1980 Chevrolet Impala	Riverside Auto	1,200.00
5.	1980 Chevrolet Impala	J. L. Ham	961.00
6.	1979 Chevrolet Impala	Larry's Used Cars	750.00
7.	1979 Chevrolet Impala	J. L. Ham	791.00
8.	1980 Chevrolet Impala	J. L. Ham	961.00

ITEM#	DESCRIPTION	HIGH BIDDER	AMOUNT
9.	1980 Chevrolet Impala	J. L. Ham	961.00
10.	1979 Chevrolet Impala	J. L. Ham	821.00
11.	1980 Chevrolet Impala	Riverside Auto	1,100.00
12.	1980 Chevrolet Impala	J. L. Ham	961.00
13.	1980 Chevrolet Impala	Riverside Auto	935.00
14.	1980 Chevrolet Impala	Larry's Used Cars	890.00
15.	1980 Chevrolet Impala	Riverside Auto	1,285.00
16.	1980 Chevrolet Impala	Riverside Auto	965.00
17.	1979 Chevrolet Impala	J. L. Ham	791.00
18.	1980 Chevrolet Impala	J. L. Ham	961.00
19.	1981 Chevrolet Impala	Riverside Auto	1,400.00
20.	1978 Chevrolet Impala	J. L. Ham	591.00
21.	1978 Chevrolet Impala	Adrian Julian	651.99
22.	1978 Chevrolet Impala	Riverside Auto	700.00
23.	1974 Ford Pinto	Larry Beaver	276.00
24.	1974 Ford 4 Door	Cary Used Cars	388.88
25.	1977 Plymouth	J. L. Ham	251.00
26.	1977 Plymouth	Ethel McLean	286.00
27.	1973 Datsun	William Hockaday	160.00
28.	1974 Chev. Station Wagon	Riverside Auto	285.00
29.	1974 Ford Maverick	David Rouse	255.00
30.	1976 Chev. Vega	J. L. Ham	189.00
31.	1974 Chev. Truck-2 Ton	Randall's Truck Sales	617.17
32.	1971 International Truck	William Coston	877.77
33.	1976 Chev. Pickup	Riverside Auto	700.00
34.	1976 International Scout	William Coston	777.77
35.	1973 Chev. Pickup	City Auto Salvage	421.00
36.	1976 Chev. Pickup	Riverside Auto	1,200.00
37.	1977 Chev. Truck-2 Ton	Jerry Gore	1,341.00
38.	1977 Chev. Pickup	Jerry Gore	821.00
39.	1972 International Truck	William Coston	777.77
40.	1972 Chev. Pickup	Larry's Used Cars	550.00
41.	1976 Ford Truck-2 Ton	Jerry Gore	1,521.00
42.	1975 Chev. Truck-2 Ton	Jerry Gore	1,198.00
43.	1977 Harley Davidson Motorcycle	Ridgeway Welding	1,630.00
44.	1980 Poulan Chain Saw	Charles Lewis	62.00
45.	1979 Echo Chain Saw	Linwood Quirerly	32.00
46.	1977 Echo Chain Saw	Jimmy Rodgers	30.00
47.	1977 Echo Chain Saw	Jimmy Rodgers	30.00
48.	1980 Poulan Chain Saw	Jimmy Rodgers	45.00
49.	1982 American Mower	Linwood Quirerly	20.00
50.	1977 Yazoo Mower	Linwood Quirerly	15.00
51.	1977 Yazoo Mower	Linwood Quirerly	15.00
52.	1980 Echo Weed Eater	Linwood Quirerly	20.00
53.	1980 Echo Weed Eater	Larry's Used Cars	11.00
54.	1980 Echo Weed Eater	Larry Beaver	21.00
55.	1980 Echo Weed Eater	Larry's Used Cars	11.00
56.	1980 Echo Weed Eater	Larry Beaver	16.01
57.	1980 Echo Weed Eater	Larry's Used Cars	11.00
58.	1980 Echo Weed Eater	Larry's Used Cars	11.00
59.	1980 Echo Weed Eater	Larry's Used Cars	11.00
60.	Camper Shell	Larry Beaver	21.00
60A.	Approx. 2,000 gal. Used Motor Oil	Harold Mason	560.00
61.	P & H Arc. Welder	Larry Beaver	160.00
62.	14 ea. Sealed Beams	J. L. Ham	5.00
63.	7 ea. Sealed Beams	J. L. Ham	5.00
64.	6 ea. Sealed Beams	J. L. Ham	5.00
65.	2 ea. Brake Shoes	J. L. Ham	6.00
66.	1 ea. 1,200x24 New Tire	Jerry Gore	100.00
67.	2 ea. 800x16.5 New Tire	Jerry Gore	50.00
68.	1 ea. 14.9x28 New Tire	J. L. Ham	48.00
69.	2 ea. 12.4x24 New Tire	J. L. Ham	104.00
70.	1 ea. 14.9x24 Recap Tire	Larry Beaver	28.00
71.	4 ea. 480x4 Tube	Coats Auto	4.00
72.	1 ea. 340x5 Tube	Larry Beaver	1.60
73.	1 ea. Marquette Generator	Dale Tate	20.01
74.	1980 Toro Mower	Larry's Used Cars	12.00
75.	1980 Toro Mower	Larry's Used Cars	12.00
76.	1977 Snapper Mower	Larry's Used Cars	12.00
77.	Gas Wall Heater	Rigsbee Auto	2.00
78.	Gas Space Heater	Rigsbee Auto	2.00
79.	Sears Cold Spot Air Conditioner	Rigsbee Auto	16.51
80.	Carrier 8 Ton Air Conditioner	Rigsbee Auto	2.00
81.	5 ea. Westinghouse Flood Lights	Larry Beaver	60.05
82.	1 ea. Booster Hose	Larry Beaver	11.01
83.	4 ea. Battery Chargers	Randall's Truck Sales	41.17

ITEM#	DESCRIPTION	HIGH BIDDER	AMOUNT
84.	4 ea. Scott Tanks	Larry Beaver	44.04
85.	1 Lot Brass Couplings and Nozzels	Hal Weinstein	185.01
86.	17 ea. Scott Air Brackets	Larry Beaver	9.01
87.	26 ea. Metal Chairs	James Hooks	72.00
88.	1 ea. Sun Tune-Up Machine	Larry Beaver	36.00
89.	1 ea. Plymouth - 1977	J. L. Ham	60.00
90.	1 ea. Kohler Generator	Larry Beaver	136.00
91.	1 ea. Briggs & Straton Generator	Larry Beaver	86.00
92.	1 ea. Briggs & Straton Generator	Larry Beaver	76.00
93.	1 ea. Camera Poloroid Land	Larry Beaver	3.01
94.	1 ea. Camera Poloroid Land	Larry Beaver	3.01
95.	1 ea. Camera Poloroid Md #250	Larry Beaver	3.01
96.	1 ea. Camera Poloroid Md #250	Larry Beaver	3.01
97.	1 ea. Monroe Adding Machine	Larry Beaver	6.51
98.	1 ea. Hermes Adding Machine	Larry Beaver	6.51
99.	1 ea. Remington Rand Adding Machine	Larry Beaver	6.51
100.	1 ea. SCM Marchant Adding Machine	I. M. Huggins	20.00
101.	1 ea. SCM Marchant Adding Machine	Larry Beaver	1.51
102.	1 ea. Victor Adding Machine	I. M. Huggins	2.00
103.	1 ea. IBM Selectric Typewriter	James Laughlin	38.00
104.	1 ea. IBM Selectric Typewriter	James Laughlin	38.00
105.	1 ea. Victor Calculator	I. M. Huggins	12.00
106.	1 ea. SCM Adding Machine	I. M. Huggins	12.00
107.	1 ea. Burroughs Adding Machine	I. M. Huggins	12.00
108.	1 ea. Pitney Bowes Mail Opener	Larry Beaver	1.51
109.	1 ea. Boston Elect. Letter Opener	Larry Beaver	1.51
110.	1 ea. Frieden Conveyor Stacker	Larry Beaver	3.51
111.	2 ea. Micro Fiche Viewers	Larry Beaver	16.02
112.	1 ea. Victor Adding Machine	Larry Beaver	1.51
113.	3 ea. Bike Racks	Larry Beaver	33.03
114.	2 ea. Merry-Go-Rounds	Larry Beaver	12.02
115.	1 ea. G. E. Transformer 60 Cycle	Rigsbee Auto	2.00
116.	1 ea. G. E. Transformer	Rigsbee Auto	2.00
117.	1 ea. Westinghouse	Rigsbee Auto	2.00
118.	1 ea. Eislea Transformer	Rigsbee Auto	2.00
119.	1 ea. Wagner Transformer	Rigsbee Auto	2.00
120.	1 ea. G. E. Transformer	Rigsbee Auto	2.00
121.	1 ea. G. E. Transformer	Rigsbee Auto	2.00
122.	1 ea. G. E. Transformer	Rigsbee Auto	2.00
123.	1 ea. G. E. Transformer	Rigsbee Auto	2.00
124.	1 ea. Electric Motor Transformer	Rigsbee Auto	2.00
125.	1 ea. Westinghouse Transformer	Rigsbee Auto	2.00
126.	1 ea. G. E. Transformer	Rigsbee Auto	2.00
127.	1 ea. Harrison Transformer	Rigsbee Auto	2.00
128.	1 ea. G. E. Transformer	Rigsbee Auto	2.00
129.	1 ea. Standard Transformer	Rigsbee Auto	2.00
130.	1 ea. Fairbank/Morse Pump	Larry Beaver	37.00
131.	1 ea. Pennsylvania Transformer	Rigsbee Auto	2.00
132.	1 ea. G. E. Transformer	Rigsbee Auto	2.00
133.	1 ea. Harrison Transformer	Rigsbee Auto	2.00
134.	1 ea. G. E. Switch	Rigsbee Auto	2.00
135.	1 ea. G. E. Transformer	Rigsbee Auto	2.00
136.	1 ea. Lighthouse Climber	Larry Beaver	3.50
137.	1 ea. Playground Slide	Larry Beaver	6.01
138.	1 ea. Gibson Stove	Larry Beaver	4.01
139.	1 ea. Martin Heater	William Coston	36.00
140.	1 ea. Kearney Meter Box	Rigsbee Auto	2.00
141.	2 ea. B & D 7¼ Circular Saws	Larry Beaver	7.00
142.	1 ea. Brute Steam Cleaner	Larry Beaver	78.00

ITEM#	DESCRIPTION	HIGH BIDDER	AMOUNT
143.	1 ea. Mastercraft Vacuum Cleaner	Larry Beaver	6.01
144.	1 ea. Dayton Bench Grinder	Larry Beaver	36.00
145.	1 ea. Dayton 2 Ton Floor Jack	William Coston	18.00
146.	1 Lot Toro Mower Parts	Larry Beaver	13.00
147.	1 ea. Myers Deep Well Submersible Pump	Larry Beaver	78.00

Mr. Edwards moved Administration's recommendation be upheld. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

PERSONNEL - FIRE DEPARTMENT - ADDITIONAL PERSONNEL AUTHORIZED TEMPORARILY

City Manager Zachary indicated the Fire Department is now employing personnel to fill vacant, authorized positions. These personnel will be given extensive training as a group prior to being placed with an engine company. Also, the City will have three additional vacancies in December, 1983, and January, 1984, due to retirement. Administration recommends that the Fire Department be authorized to employ three additional personnel to fill these projected vacancies so that these personnel can go through the Fire Academy with the other group. City Manager Zachary indicated this would involve three additional people for approximately 60 days. Mr. Edwards moved Administration's recommendation be upheld. His motion was seconded by Ms. Babb and passed unanimously. The Mayor moved the motion adopted.

RALEIGH HOUSING AUTHORITY - CENTRAL RELOCATION CONTRACT - APPROVED

City Manager Zachary indicated each year the City contracts with the Raleigh Housing Authority to provide housing relocation assistance to individuals affected by the City's Code enforcement program and other projects. Council Members received a copy of the proposed agreement with it being pointed out funds are available for this program and the 83-84 budget. Administration recommends that the contract be approved. Ms. Babb moved Administration's recommendation be upheld which was seconded by Mr. Upchurch and a roll call vote resulted in all members voting in the affirmative. The Mayor moved the motion adopted.

HUMAN RESOURCES AND HUMAN RELATIONS ADVISORY COMMITTEE - REPORT - REFERRED TO WORK SESSION

The Addendum indicated approximately six months ago the Council decided to meet with the Human Resources and Human Relations Advisory Committee once every six months. The time has been reached for this meeting and the Committee desires to meet with the Council at the November Work Session. Without discussion, it was agreed that this item would be referred to the November Work Session.

RIDGE ROAD/BILTMORE HILLS - CHANGE ORDER G-20 - APPROVED; MATTER REFERRED TO LAW AND FINANCE COMMITTEE TO DETERMINE CAUSE

The Addendum presented a change order in the amount of $7,027 known as Change Order G-20 - Clancy and Theys Construction Company. This change order is needed as a result of the requirements by the Land Quality Division of the State of North Carolina. Land was disturbed that was not included in the original soil erosion plan. Brief discussion took place with Mr. Edwards questioning if the contractor went outside the construction limits or what. Assistant City Manager Yates indicated there is an erosion problem that needs to be corrected. Whether grading occurred outside the original construction plans, he did not know. After brief discussion, Mr. Edwards moved that the change order be approved but the item be referred to Law and Finance Committee to look at the charges to make sure that they are proper and determine if the charges should be paid by someone other than the City. His motion was seconded by Ms. Babb and put to a roll call vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 214 TF 8.

BILTMORE HILLS/RIDGE ROAD POOLS - CHANGE ORDER G-19 - MANAGER'S ACTIONS CONCURRED WITH

The Addendum listed a change order which is a deduction of $475 and is known as Change Order G-19. The change order was necessitated as it was felt the work was not necessary as it did not improve the quality of design. The Addendum indicated the City Manager has administratively approved the change order and transfer of funds. Mr. Edwards moved the Manager's action be concurred with. His motion was seconded by Ms. Babb and passed unanimously. The Mayor ruled the motion adopted.

PRIOR TO WORK ITEMS - STATUS REPORT RECEIVED; ADMINISTRATION TO PROVIDE STATUS ON LETTER TO GOVERNOR

Mayor York indicated Council Members received attached to the Addendum a copy of the status of the priority work items established by the Council. He indicated the only comment he has relates to the Capital Area Housing pointing out the City was to write the Governor a letter explaining how we want to proceed with this project. He stated he had not seen the letter as yet and asked Administration to make sure that the letter was prepared for his signature.

REPORT AND RECOMMENDATION OF THE CITY ATTORNEY

FERNDALE LANE - INFORMATION RECEIVED

City Attorney McCormick indicated the Court of Appeals has upheld the lower court relating to the dismissal of the Ferndale Lane suit. He indicated he hoped to get with Administration and have a recommendation for the Council sometime in the near future. The item was received as information.

REPORT OF MAYOR AND COUNCIL MEMBERS

COUNCIL ELECT - APPOINTED AS AD HOC COMMITTEE

Mayor York indicated he would not be attending the National League Meeting in New Orleans. He stated, however, in the past it has been a tradition for the Council to name the newly elected Council Members as an Ad Hoc Committee to attend the League meeting. Mr. Upchurch moved that the City Council appoint the newly elected City Council as a Special Ad Hoc Committee to attend the National League Meeting in New Orleans. His motion was seconded by Mr. Walters and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

INTERSTATE-40 - ADOPTED

Mr. Keller indicated all Council Members received a memo from the Appearance Commission relative to Interstate-40 being a positive example for entranceways into the City of Raleigh. He explained the Appearance Commission had recommended a statement of support to be considered by the City Council as follows:

> "The Interstate-40 corridor is an important entranceway into the City of Raleigh from Durham, Chapel Hill, Morrisville, the Raleigh-Durham Airport and the Research Triangle Park. Many travellers along this corridor base their opinions of Raleigh and Wake County upon the positive appearance which is observed from this thoroughfare. In order to protect the appearance and encourage the desirable development of Interstate-40, the Raleigh City Council would like to express their support to the Wake County Commissioners and Triangle J Council of Governments for any action which can be taken to protect the existing vegetation and other aesthetic values which are found along the Interstate-40 corridor from the Durham County Line into the City of Raleigh."

Mr. Keller moved that the City Council endorse this statement of support and send it to the County Commissioners and Triangle J as the City's position. His motion was seconded by Mr. Edwards and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

STREET LIGHT AND EROSION PROBLEM - GREEN ROAD PARK AREA - REFERRED TO ADMINISTRATION

Mr. Walters indicated he has been receiving calls about the need for a street light at the corner of Brockton and Bayliner near Green Road Park. He indicated the people have said they could not get a street light until the end of November and they need one sooner than that. He stated, in addition, there is no street marker in this area.

Mr. Walters indicated in the same area on Brockton and Green Road near the park that the bank is eroding very badly and the sidewalk is almost always covered with mud. Without objection, Administration was asked to look into the two problems.

BILLBOARD - HARRIS PARK AREA - REFERRED TO ADMINISTRATION

Mr. Walters indicated he noticed a billboard standard on Wake Forest Road near the new Harris Park. He stated it looks like it is going to be one of those "big billboards". He stated he hopes Administration is checking into this to make sure that the adequate permits have been obtained. Without objection, the item was referred to Administration.

SISTER CITIES - KURUME, JAPAN - REFERRED TO INTERGOVERNMENTAL COMMITTEE

Mr. Walters presented Council Members with minutes of a meeting he had with officials from Kurume, Japan, recently. He stated he met with these officials at the request of the Mayor and he had the Council secretary to sit in and do some minutes. He stated approximately 40 officials from Kurume, Japan, were present. He indicated one item that came up was that they expressed an interest in becoming a Sister City with Raleigh pointing out they are similar in size, have a research park near them, etc. He stated he would like to refer to Intergovernmental Committee to consider the possibility of the Sister City Program with Kurume, Japan. Without objection, the item was referred.

PUBLIC WORKS COMMITTEE - MEETING - SET FOR NOVEMBER 9

Mr. Edwards indicated the Public Works Committee had cancelled its meeting scheduled for Tuesday, November 8. He indicated he had discussed this with the Committee and they have agreed that the next Public Works Committee would be at 10:00 a.m., Wednesday, November 9. The item was received as information.

MUNICIPAL BUILDING - TOUR - ANNOUNCED

Mr. Edwards indicated on Monday, November 14, 1983, at 10:00 a.m. the Municipal Building Committee has set up a tour of the new Municipal Building. He indicated he would like to extend an invitation to all Council Members as well as to the newly elected Council. Without objection, this was agreed to.

SEWER INSTALLATION - REMBERT DRIVE - PAYMENT TO BE RETURNED AND ACCOUNT TO BE SET UP ON TEN-YEAR BASIS

Mr. Edwards indicated a Mr. Grimes, who lives on Rembert Drive, received information on an assessment for sewer installation in Rembert Drive. He indicated he did not understand and went ahead and paid the amount in full as he did not know that he could set it up over a ten-year period. He indicated Mr. Grimes has talked with the City Attorney and the Finance Collector as well as others in the City. Mr. Edwards indicated he is satisfied that Mr. Grimes did not understand the alternative that he could spread the payment out over a ten-year period. Therefore, he would move that Administration be authorized to refund Mr. Grimes' sewer assessment and that he be allowed to pay it over a ten-year period. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

HILLSBOROUGH STREET TASK FORCE - INFORMATION RECEIVED

Mr. Edwards indicated that the Hillsborough Street Task Force has been reporting to the Comprehensive Planning Committee. He indicated while this item was being discussed former Mayor Isabella Cannon had prepared a large document with supporting information. He stated in error this had never been presented to the Council and passed the information out.

REQUESTS AND PETITIONS OF CITIZENS - JOHN BLESSARD ADDED

Ms. Babb indicated as a point of personal privilege she would like to have John Blessard to be added to Requests and Petitions of Citizens during the night portion of the meeting. She indicated she had added them to the last meeting as they had a problem with the handicapped ramp and that has been cleared up. However, some other things have come up and they would like to make a request to the City Council. Without objection, it was agreed to add Mr. Blessard to the Agenda.

NCNB - PRESENTATION - COUNCIL INVITED

Mr. Upchurch indicated Dennis Rash and a Mr. Taylor of NCNB had recently spoken at the League meeting in Asheville. He indicated they have asked the City Council to a luncheon at the Capital City Club on November 10 at 12:45 p.m. He stated all Council Members and the Council elect as well as certain staff members have been invited to attend the luncheon. The item was received as information.

REPORT OF CITY CLERK AND TREASURER

TAXES - REBATES AND/OR REFUNDS - RESOLUTIONS ADOPTED

Council Members received three proposed resolutions relating to tax rebates and/or refunds which are recommended for adoption. Approval of the listings as submitted by the Wake County Tax Supervisor for refunds made during August due to clerical errors is also recommended. Mr. Jordan moved adoption of the resolutions and the tax listing as recommended by the Clerk. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. (1983) 380

A RESOLUTION ADJUSTING, REBATING OR REFUNDING PENALTIES AND RELIEVING INTEREST FOR LATE LISTING OF PROPERTY FOR AD VALOREM TAXES

WHEREAS, pursuant to G. S. 105-331, a 10% penalty was assessed against the property owners listed below for failure to list their taxable property during the regular listing period; and,

WHEREAS, each of said property owners has shown to the satisfaction of the City Council that their failure to list on time was excusable; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the 10% penalty assessed against the property of the following named persons be and the same is hereby adjusted, rebated or refunded as shown:

YEAR	TAXPAYER	ACCOUNT NO.	TAX VALUE	RECOMMENDATION
1983	Kenneth E. & Kitty Beck	01-2-5250106	$ 12,130	Relieved
1983	Biscuitville #135	07-7-5249958	23,447	Relieved
1983	Jeffrey C. Calamos, DDS	01-1-5249920	29,472	Relieved
1983	Patrick F. Marsh, DDS	01-1-5249917	25,907	Relieved
1983	Milan D. & Karen D. Chepko	01-2-5249283	4,554	Relieved
1983	Elizabeth M. Eby	01-2-5249877	7,992	Relieved

YEAR	TAXPAYER	ACCOUNT NO.	TAX VALUE	RECOMMENDATION
1983	Henry E. & Jewell P. Frye	07-2-5249295	2,253	Relieved
1983	David W. & Joann P. Murden	01-2-5249286	5,452	Relieved
1983	Douglas A. Reid	01-2-5249280	4,420	Relieved
1983	George R. Williams, III	01-2-5249301	4,260	Relieved
1983	Kenneth L. & Charlotte G. Johnson	01-2-5249304	21,906	Relieved
1983	Sunil Ashtaputre	01-2-5401426	1,600	Relieved
1983	Federal Pacific/Reliance Electric	01-1-5249235	366,826	Relieved
1983	Thomas N. Richards	01-2-5248784	8,200	Relieved

Section 2. That the following requests for relief be denied:

YEAR	TAXPAYER	AMOUNT
1983	Potomac Hotel Limited Partnership	$1,849,467
1983	Sisters Garden of Eating, Inc.	113,641
1983	David Allen Co., Inc.	5,310
1983	David Allen Co., Inc.	5,310
1983	David Allen Co., Inc.	6,770
1983	David Allen Co., Inc.	2,790
1983	David Allen Co., Inc.	2,790
1983	David Allen Co., Inc.	5,310
1983	David Allen Co., Inc.	2,520
1983	Barbour & Bishop Truck, Inc.	43,448
1983	Thomas Lewis Bremson	6,774
1983	Mara J. Frost	4,885
1983	Bernard Steve Hanula	7,000
1983	Bernard S. & Mickey C. Hanula	12,240
1983	James Leroy & Sandra Merryfield Schultz	1,490
1983	James Leroy & Sandra Merryfield Schultz	4,910
1983	Jim Williams Autos, Inc.	72,745

Section 2. That the City/County Tax Collector and/or the City Revenue Collector are authorized and directed to correct the tax records by making appropriate entries thereon that such penalties are rebated or refunded by order of the City Council.

Adopted: November 3, 1983

RESOLUTION NO. (1983) 381

A RESOLUTION APPROVING TAX EXEMPTION AS DESCRIBED

WHEREAS, pursuant to N. C. General Statutes 105-285.3, exemption from taxation was available for the property owners, listed below; and,

WHEREAS, each of said property owners has shown to the satisfaction of the City Council that their failure to request relief in a timely manner was excusable; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following be approved for exemption from taxation:

YEAR	TAXPAYER	AMT. OF VALUE	RECOMMENDATION
1983	Free Will Family Aid Society of America, Inc.	$270	Approved

Section 2. That the City/County Tax Collector and City Revenue Collector are authorized and directed to correct the tax records by making appropriate entries thereon that such penalties are rebated or refunded by order of the City Council.

Adopted: November 3, 1983

RESOLUTION NO. (1983) 382

A RESOLUTION REFUNDING TAXES AS SET FORTH HEREIN

WHEREAS, the proper tax authority of the City of Raleigh has reported to the City Council that certain taxes appearing upon the tax records of the City of Raleigh, listed below, should be refunded for the reasons given; and

WHEREAS, the City Council finds as a fact that the reason in each instance for the refund of the tax is true, and that the same should be allowed; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following taxes heretofore assessed be and the same ordered refunded as may be indicated below:

YEAR	TAXPAYER	ACCOUNT NO.	AMOUNT OF REFUND	REASON FOR REFUND
1982	Smith, Marilyn Koeberlein	01-2-5858756	$ 7.85	Error in Billing
			Int. .45	
1982	Smith, Larilyn Louise	01-8-5858757	10.70	Error in Billing
			Int. .62	
1982	Smith, Marilyn Koeberlein	01-8-5858755	53.04	Error in Billing
			Int. 3.05	
1982	Morgan, William C.	16-2-5849700	12.62	Error in Billing
1982	Morgan, William C.	16-8-5849701	2.07	Error in Billing
1981	Wall, Aaron Robin, Jr.	01-2-5795594	36.67	Error in Billing
			Int. 2.38	
1982	Dixie Industrial Electric, Inc.	01-7-5237491	2,155.09	Error in Billing
			Int. 59.26	
1982	American Postal Workers Union; AFL-CIO	01-1-5072248	14.39	Error in Billing
1982	Penix, John Andrew	01-2-5235087	6.17	Error in Billing
1982	Green, E. T. & Bradine S., Jr.	01-2-0026164	35.18	Error in Billing
1981	Green, E. T. & Bradine S., Jr.	01-2-0026164	34.81	Error in Billing
1980	Green, E. T. & Bradine S., Jr.	01-2-0026164	34.81	Error in Billing
1982	Wheels, Inc.	01-7-5864748	43.18	Error in Billing
1982	Tunstall Const. Co.	01-1-0117675	242.47	Error in Billing
1982	Barrett, Rita Harrelson	11-2-5822148	41.78	Error in Billing
1983	Blackmon, Lonnie Jr.	01-2-5147189	15.77	Error in Billing
1983	Brooks, Anthony Sherman	01-2-5824805	29.45	Error in Billing
1983	Collier, Courtney	01-2-5244900	4.66	Error in Billing
1983	Finch, Carl Durant	01-1-5013515	9.79	Error in Billing
1981	Pegram, Brenda Holt	01-2-5220533	45.01	Error in Billing
1983	Peterson, D. L. Trust	01-1-5023292	273.70	Error in Billing
1982	Senter, Joseph Thomas	01-2-5733489	52.08	Error in Billing
1981	Sharpe, Jennie Walton	01-2-5787444	32.48	Error in Billing

Section 2. That the City/County Tax Collector and City Revenue Collector are authorized and directed to correct the tax records by making appropriate entries thereon that such penalties are rebated or refunded by order of the Raleigh City Council.

Adopted: November 3, 1983

PRELIMINARY WATER ASSESSMENT ROLL 1002 - PLEASANT VALLEY ROAD - RESOLUTION ADOPTED

The City Clerk presented Preliminary Water Assessment Roll 1002 for water main installation in the Pleasant Valley Road area will be presented with the recommendation that the Council adopt the Preliminary Assessment Roll which would set a public hearing to consider confirmation of the cost at the December 6, 1983, Council Meeting. This project is outside the City Limits and the assessments, when confirmed, will become effective upon tap-on or annexation into the City. Mr. Keller moved adoption of the roll as recommended. His motion was seconded by Mr. Jordan and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

OUTSIDE CITY LIMITS

RESOLUTION NO. (1983) 383

RESOLUTION DECLARING COST AND PRELIMINARY ASSESSMENT ROLL

WATER ASSESSMENT ROLL NO. 1002

WHEREAS, by Resolution No. 1983-171 adopted by the City Council on February 15, 1983, the local improvements hereinafter referred to were authorized and directed pursuant to Article 10 of Chapter 160A, General Statutes of North Carolina, and Section 105 of Chapter 1184, Session Laws of North Carolina of 1949, as amended as applicable; and

WHEREAS, the local improvements have been completed and it is the duty of the City Council to make an assessment of the cost thereof against the property abutting the improvement;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the local improvements described as follows have been completed: Installation of approximately 800 feet of 8-inch water main at Pleasant Valley Road beginning 100 feet west of Commercial Drive, westward 800 feet to Fire Station 18.

Section 2. That the cost of the above described improvements, exclusive of so much of the total cost as was incurred at street intersections, has been computed and determined and is hereby declared to be $14,071.48.

Section 3. That the City Council hereby makes an assessment of the cost of the local improvements herein referred to, pursuant to Article 10 of Chapter 160A, General Statutes of North Carolina, against the lots and parcels of land abutting directly on the improvements. The basis for assessment is front footage.

Section 4. That the following assessments are hereby declared against abutting property as follows: according to the average cost as determined by the City Council under authority contained in Chapter 315 of the North Carolina Session Laws, 1963.

OWNERS ASSESSED	LOT NO.	PROPERTY I.D. NO.	SUBDIVISION LOT NO.	FRONTAGE ASSESSED	AMOUNT ASSESSED
Charles H. Gardner & Audrey J. Gardner	1	0024169	-	234.39	$2,161.08
Mae White Ferrell	2	0022022	6-9	490.00	4,517.80
City of Raleigh	3	0102352	-	200.00	1,844.00
Oscar Miller Contractors, Inc.	4	0071585-7	1-4 and Pt. 5	451.80	4,165.60
Jack R. Taylor	5	0095187	6 and Pt. 5	150.00	1,383.00

Cost Per Foot: $9.22

Section 5. That the terms and manner of payment of assessments herein provided for shall be as follows: that said assessments shall be payable in cash or, if any property owner shall so elect and give notice of the fact, in writing, to the City of Raleigh in accordance with the provisions of Section 160A-232 of the General Statutes of North Carolina, as amended, such property owner shall have the option and privilege of paying the assessments in ten (10) equal installments, such installments to bear interest at the rate of six percent (6%) per annum from the date of confirmation of the assessment roll, payable annually in the unpaid balance of the assessment.

Section 6. That this Assessment Roll No. 1002 is hereby ordered filed in the Office of the City Clerk and Treasurer of the City of Raleigh for public inspection.

Section 7. That a public hearing will be held on the 6th day of December, 1983, at 7:00 p.m. in the Council Chamber, Municipal Building in the City of Raleigh, North Carolina (or at such other time and place to which the meeting of the City Council may be adjourned) for the purpose of hearing all interested persons in respect to the special assessments made by this resolution; and the City Clerk and Treasurer is hereby directed to cause to be published a notice of the completion of said assessment roll and notice of said meeting, and to mail to each owner of the property herein assessed a copy of this resolution.

Section 8. That the assessment made by this resolution is subject to confirmation as provided by Article 10 of Chapter 160A, General Statutes of North Carolina.

Adopted: 11/3/83

MINUTES - OCTOBER 18, 1983 - APPROVED

The City Clerk indicated Council Members received copies of the minutes of the October 18, 1983, Council Meeting and joint hearing with the Planning Commission. Mr. Calloway moved approval of the minutes as presented. His motion was put to a vote which passed unanimously. The Mayor ruled the motion adopted.

ADJOURNMENT

There being no further business, Mayor York announced the meeting adjourned at 4:30 p.m. to be reconvened at 7:00 p.m.

Gail G. Smith
City Clerk

emw/1MINA

The City Council of the City of Raleigh met in a regular reconvened meeting on Thursday, November 3, 1983, at 7:00 p.m. in the City Council Chambers of the Municipal Building with the following present:

Mayor York, Presiding
Ms. Babb
Mr. Calloway
Mr. Edwards
Mr. Keller
Mr. Walters
Mr. Upchurch

Mr. Jordan - absent and excused.

Mayor York called the meeting to order indicating Mr. Jordan had asked to be excused from the night portion of the meeting. Without objection, Mr. Jordan was excused.

REQUESTS AND PETITIONS OF CITIZENS

METHOD CIVIC LEAGUE - QUESTIONS RELATIVE TO METHOD COMMUNITY PARK - REFERRED TO PUBLIC WORKS COMMITTEE

Margaret Rose Murray, representing the Method Civic League, indicated they had some concerns about the development of their park. She indicated since the development of Method Park is so interwoven with the Method Community, she feels it has to be recognized that way. She gave some information on the Method Community, its history, prominence, etc. She explained the word Method means an orderly way of doing things and that is what the community is still all about. She indicated they feel that the City has shortchanged them in not letting the community know what is happening in their park. She stated they are pleased that the Council has taken the initiative to do something at the park but they feel the residents should be considered in this process. She explained about 1970 maintenance was started at the Berry O'Kelly school and they have had very little funding and help since then. She indicated, however, many other parks show that they have received $250,000 or more but Method is just getting roadways, pathways, etc. She questioned why they only got $10,000 from the bond money and that money hasn't been received as yet. She questioned why they have not received any more money pointing out many studies were done in other areas that cost this much. She stated she feels this is unfair and went over some funding that has taken place at Method relating to the broiler, gym floor, drapes, and air conditioning which they do not have. She indicated in looking at the master plan there are so many things that could be done that aren't being done. She stated they had asked for a small indoor pool and they haven't been considered all of these years. She stated they had wanted a tennis court and that has not bee considered. She indicated this unfairness is just unwarranted in their community.

Mayor York indicated one of the original problems was that the park was leased land and he worked very hard on getting City ownership. He stated the master plan has been approved and the citizens were involved with Ms. Murray indicating she was not involved, however, there were changes made between the planning stage and what has been done. She indicated the tennis courts have been changed to a ball field, landscaping has started in this area and they feel they can make suggested changes that will be conducive to their community. City Manager Zachary indicated the City has spent a tremendous amount of money in this area. He indicated the air conditioning was installed in the gym and he feels that Mrs. Murray does not know just how many dollars have been spent in this area with Mayor York agreeing that the City worked very hard to get this property. He stated he personally has worked very hard. He stated the master plan has been approved by the City Council and he does not know how any changes could have been made without approval of the City Council with Ms. Murray indicating changes have been made. Ms. Babb questioned if Ms. Murray is dissatisfied with the master plan with Ms. Murray again stating she was satisfied with the original master plan but that is not what is being done. She stated there has been some deviation from what they wanted and what they are getting. She stated there needs to be discussion about the master plan and with the developer. After brief discussion, by general consensus, the item was referred to the Public Works Committee for further consideration.

PARKING RESTRICTIONS - MILLBROOK ROAD - LIFTED TEMPORARILY

Ester Anctil was at the meeting to request the City Council to waive parking restrictions on Millbrook Road, both sides, between Sweetbriar and Radcliff on Saturday, November 5, between 4:00 p.m. and 6:00 p.m. Ms. Anctil indicated her family has planned a pig pickin' and has invited sixty guests. She stated she just recently realized that the parking prohibition between 4:00 p.m. and 6:00 p.m. is seven days a week rather than five days a week. She stated she just wanted the prohibition waived between 4:00 p.m. and 6:00 p.m. so that her guests can park in that area. She stated she realized that they could not park in the areas that were "No Parking Anytime" zones.

In response to questions, City Manager Zachary indicated the Police Department has no objections to the lifting of the parking restrictions between 4:00 p.m. and 6:00 p.m., however, those places that are posted "No Parking Anytime" should remain in effect as parking there anytime is hazardous. Mr. Upchurch moved approval of the request which was seconded by Mr. Calloway and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

Mr. Walters indicated he thought that the restrictions on Millbrook Road used to be Monday through Friday. He indicated he thought this was true all over the City and questioned if that has been changed with City Manager Zachary indicating apparently it has in this area.

NORTH CAROLINA HOUSING FINANCE AGENCY - LITCHFORD PARK - RESOLUTION ADOPTED

Attorney Lacy Reeves, 615 Oberlin Road, indicated he was representing R & R Associates, the developers of Litchford Park. He indicated this is an apartment complex on a 32.10 acre site which is zoned R-10. He pointed out they plan to have 341 units. He indicated the site plan has been submitted and briefly explained the site plan pointing out that it is presently in Public Works for review. He indicated the project will consist of 64 one-bedroom units, each having 754 square feet, and 277 two-bedroom units. He explained half of the two-bedroom units will have 827 square feet and half will consist of 870 square feet. He explained no building will be more than two-stories in height. He indicated the rent will not be subsidized. They are requesting that the North Carolina Housing Finance Agency participate in the financing of this project by the issuance of tax exempt bonds. He indicated two of the owners are in the audience and would be glad to answer questions. In response to questions, City Manager Zachary indicated Administration has no objection to the request. Mr. Upchurch moved adoption of the resolution as requested. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. (1983) - 385

APPENDIX 2

REQUEST OF APPROVAL OF PARTICIPATION
BY THE NORTH CAROLINA HOUSING FINANCE AGENCY

A regular meeting of the City Council of the City of Raleigh, North Carolina, was held at 7:00 o'clock p.m., on November 3, 1983, at the Municipal Building in Raleigh, North Carolina, the regular place of meeting.

Present: Mayor G. Smedes York presiding and Sandra P. Babb, Avery C. Upchurch, Edward A. Walters, Arthur J. Calloway, Walter Keller and John Edwards, Sr.

Absent: S. Tony Jordan, Jr.

Mr. Upchurch introduced the following resolution which was read:

RESOLUTION REQUESTING AND APPROVING THE PARTICIPATION OF THE NORTH CAROLINA HOUSING FINANCE AGENCY IN THE FINANCING OF A HOUSING PROJECT TO BE LOCATED IN THE CITY OF RALEIGH, NORTH CAROLINA.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

SECTION 1

The participation of the North Carolina Housing Finance Agency in the financing of the proposed housing project for occupancy by persons and families of lower income (as defined by the Agency) described below and located at Northeast intersection of Litchford and Rowland Roads in the City of Raleigh is hereby requested and approved pursuant to G.S. 122A-5(1):

Description of Proposed Project:

> An apartment project to be known as Litchford Park, which will consist of 341 units on approximately 35 acres currently zoned Residential-10 District. The project will consist of 64 one bedroom units, each consisting of 754 square feet, and 277 two bedroom units. Half of the two bedroom units will consist of 827 square feet and half will consist of 870 square feet. No building will be more than two stories in height.

SECTION 2

This resolution will take effect upon its passage. Thereupon, upon motion of Mr. Upchurch, seconded by Mr. Calloway, the foregoing resolution was passed by the following vote: Ayes: Mayor York, Sandra P. Babb, Avery C. Upchurch, Edward A. Walters, Arthur J. Calloway, Walter Keller, John Edwards, Sr; Noes: none.

Absent: S. Tony Jordan (Excused)

Adopted: 1/24/84

CHRISTMAS ON THE MALL - WAIVER OF SPECIAL EVENTS FEE - APPROVED

Representatives of the Raleigh Fine Arts Society have requested waiver of the Special Events fee for the Mall in connection with the Christmas on the Mall events scheduled for Tuesday, December 13, between 6:00 p.m. and 7:00 p.m. City Manager Zachary indicated the City Council has done this for the last two years and Administration has no objection to waiver of the fee. Mr. Edwards moved that the request as outlined on the Agenda be upheld. His motion was seconded by Mr. Upchurch and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

LAKE RIDGE VILLAS HOMEOWNERS ASSOCIATION - REQUEST FOR RELEASE OF REQUIREMENT RELATING TO SIDEWALKS - REFERRED TO PUBLIC WORKS COMMITTEE

Mike Houseman, representing Lake Ridge Villas Homeowners Association, was at the meeting to request that they be released from the requirement to install sidewalks on Lake Ridge Drive and that the City accept Lake Ridge Drive and the water system for City maintenance. It was pointed out that the question relating to acceptance of the utilities had been resolved and now it is only the matter relating to sidewalk and street acceptance. Brief discussion took place with it being pointed out that the sidewalk was torn up by the telephone company recently and has never been repaired. The map showing the approval of Lake Ridge Villas was available at the meeting with it being pointed out it is dated 1973. After brief discussion, Mr. Edwards moved that the request be referred to Public Works Committee. His motion was seconded by Mr. Upchurch and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

PRIVILEGE LICENSE - CULTURE CLUB - APPROVED CONDITIONALLY

John Blessard and Frank Thompson were at the meeting representing the Culture Club at 605 West Morgan Street. Mr. Blessard indicated they are trying to open a night club and thought they had everything completed to meet all City requirements, however, they have just learned that they have to install one additional urinal prior to being able to get approval from the Inspections Department. He indicated they are requesting privilege license for live entertainment, on-premises beer and dance hall license. He indicated the Police Department has completed their report and it is favorable and the Inspections Division indicates everything is okay except the need for one additional urinal. Brief discussion took place after which Ms. Babb moved that the privilege license for Culture Club be approved contingent upon all administrative approvals and meeting all building and zoning requirements. Her motion was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

UNFIT BUILDINGS AND DWELLINGS UNFIT FOR HUMAN HABITATION

UNFIT AND UNSAFE BUILDINGS - VARIOUS LOCATIONS - REPEALER ORDINANCES ADOPTED

Housing Inspections Superintendent Bartholomew indicated Ordinance 1983 - 181 declared property at 516 - 518 East Edenton Street and 227 - 229 East Lenoir Street unfit. He indicated these properties have been repaired by the owners, therefore, the ordinance should be repealed. Mr. Walters moved repeal of that portion of Ordinance 1983 - 181 as outlined by Mr. Bartholomew. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ORDINANCE NO. 1983-222

AN ORDINANCE REPEALING A PORTION OF ORDINANCE NO. 1983-181 RELATING TO THE PROPERTY OF NORMAN J. NEER, LOCATED AT 516-518 EAST EDENTON STREET, AND A. B. JENKINS, LOCATED AT 227-229 EAST LENOIR STREET, RALEIGH, NORTH CAROLINA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA:

Section 1. That part of Ordinance No. 1983-181 relating to the property of Norman J. Neer and A. B. Jenkins and directing that the dwelling thereon be placarded or demolished is hereby repealed.

Section 2. It is the intent of this ordinance that no other portion of said Ordinance No. 1983-181 be affected in any manner whatsoever by the adoption of this ordinance.

Section 3. That a certified copy of this ordinance be recorded in the office of the Wake County Register of Deeds.

Section 4. This ordinance shall be effective November 3, 1983.

Adopted: November 3, 1983

Effective: November 3, 1983

Housing Inspections Superintendent Bartholomew indicated Ordinance 1983 - 204 declared the dwelling at 416 East Hargett Street unsafe. He indicated the property has been boarded up and there is a contract with the Community Development Department to sell or repair the dwelling, therefore, he would suggest that the ordinance as it

relates to this location be repealed. Mr. Walters moved repeal of Ordinance 1983 - 204 as it relates to 416 East Hargett Street. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ORDINANCE NO. 1983-223

AN ORDINANCE REPEALING ORDINANCE NO. 1983-204 RELATING TO 416 EAST HARGETT STREET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA, THAT:

Section 1. That Ordinance No. 1983-204 is hereby repealed in its entirety inasmuch as the property which is the subject of that ordinance has either been repaired or demolished.

Section 2. That a certified copy of this ordinance be recorded in the office of the Wake County Register of Deeds.

Section 3. This ordinance shall become effective upon adoption.

Adopted: November 3, 1983

Effective: November 3, 1983

MATTERS SCHEDULED FOR PUBLIC HEARING

UNSAFE BUILDING DEMOLITION - 20 ST. AUGUSTINE AVENUE - RESOLUTION ADOPTED

A hearing to consider adoption of a resolution confirming charges in the amount of $1,451 for demolishing the unsafe structure at 20 St. Augustine Avenue. The property is in the name of Eleanor White, Heirs. Notification was by publication in The Raleigh Times. The Mayor opened the hearing to the public. No one asked to be heard, thus the hearing was closed. Mr. Calloway moved adoption of a resolution confirming the charges as outlined. His motion was seconded by Mr. Upchurch and a roll call vote resulted in all members voting the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. 1983-386

A RESOLUTION ASCERTAINING AND COMPUTING THE TOTAL COST OF ABATING UNSAFE BUILDING NUISANCES IN THE CITY OF RALEIGH, CONFIRMING THE SAME AND ASSESSING THE COST OF ABATEMENT AGAINST THE PROPERTY ON WHICH THE NUISANCE EXISTED

WHEREAS, the City Council of the City of Raleigh, pursuant to Chapter 160-A of the North Carolina General Statutes, and Sections 2.14(33), 2.14(51), 2.14(46) and Sections 6.35 and 6.36 of the Charter of the City of Raleigh (Chapter 1184 of the 1949 Session Laws of North Carolina as amended) has the authority to prevent, abate and declare unlawful nuisances and to make the cost of said abatement a lien against the premises where the nuisances existed; and

WHEREAS, pursuant to said Statutes the City Council of the City of Raleigh has adopted Part 7, Chapter 4, Article D of the Code of the City of Raleigh, relating to the abatement of unsafe building nuisance; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH

Section 1. That the unsafe building nuisances as set out herein have been abated at the cost set out herein, pursuant to the Code to the City of Raleigh and more specifically Part 7, Chapter 4, Article D.

Section 2. That the City Council of the City of Raleigh hereby confirms the cost of abatement of the nuisances set out herein, pursuant to General Statutes above referred to, and makes the same a lien against the premises as provided in Part 7, Chapter 4, Article D of the Code of the City of Raleigh.

PROPERTY OWNER	LOCATION	COST OF ABATEMENT
Elnora White, Heirs	20 St. Augustine Avenue ID # 0076109	$ 1,451.00

Adopted: 11/3/83

PUBLIC NUISANCE COST CONFIRMATION - 1423 EAST LANE STREET AND 1820 EASTERN BOULEVARD - HEARING - RESOLUTION ADOPTED

This was a hearing to consider adoption of a resolution confirming charges for abating certain nuisances as outlined. The charges, if confirmed, will become a lien against the land in the name of the property owner. The Mayor opened the hearing on each case:

1423 East Lane Street - Rosa Cheek, Heirs, Property Owners - $158.00. No one asked to be heard.

1820 Eastern Boulevard - Charles E. and Marion McCoy, Property Owners - $218.00. No one asked to be heard.

Mr. Edwards moved adoption of a resolution confirming the charges as outlined. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. 1983-387

A RESOLUTION ASCERTAINING AND COMPUTING THE TOTAL COST OF ABATING CERTAIN NUISANCES IN THE CITY OF RALEIGH, CONFIRMING THE SAME AND ASSESSING THE COST OF ABATEMENT AGAINST THE PROPERTY ON WHICH THE NUISANCE EXISTED

WHEREAS, the City Council of the City of Raleigh, pursuant to Chapter 160A of the General Statutes and Sections 2.14(33), (51), 22-51 and Sections 6.35 and 6.36 of the Charter of the City of Raleigh (Chapter 1184 of the 1949 Session Laws of North Carolina as amended) has the authority to prevent, abate and declare unlawful nuisances and to make the cost of said abatement a lien against the premises where the nuisances existed; and,

WHEREAS, pursuant to said Statutes the City Council of the City of Raleigh has adopted Part 7, Chapter 5 of the Code of the City of Raleigh, relating to the abatement of nuisances; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the nuisances as set out herein have been abated at the cost set out herein, pursuant to the Code of the City of Raleigh and more specifically Part 7, Chapter 5.

Section 2. That the City Council of the City of Raleigh hereby confirms the cost of abatement of the nuisances set out herein, pursuant to the General Statutes above referred to and makes the same a lien against the premises as provided in Part 7, Chapter 5 of the Code of the City of Raleigh.

PROPERTY OWNER	LOCATION	ABATEMENT COST
Charles E. & Marion McCoy	1820 Eastern Blvd. Lot 61, Map 553, ID #0102303	$ 218.00
Rosa Cheek, Heirs	1423 E. Lane Street Lot 28, Block G-31, Map G-3 ID# 0077523	$ 158.00

Section 3. That this resolution shall become effective November 3, 1983.

Adopted: 11/3/83

UNFIT DWELLINGS - VARIOUS LOCATIONS - VARIOUS ACTIONS TAKEN

This was a hearing to consider adoption of an ordinance declaring the following buildings unfit and directing that they be placarded. The Mayor opened the hearing on each case:

510 South Blount Street - Mrs. Lillian Freeman, Property Owner. Mr. Calloway requested that this item be referred to Law and Finance Committee. Without objection, the item was so referred.

105 East Edenton Street - Kenneth L. Johnson, et al. Jack Andrews indicated he is the administrator of this estate. He explained it involves thirty-seven units and the property owner had it inspected on June 15. He indicated prior to the inspection they had started making repairs and nine units passed the inspection at that time. He stated they have been working on the property and have cleared twelve additional units. He stated work has been hampered by the passing of the owner and now it is tied up in an estate and they are having to work from cash flow. He stated they would like an extension of some 90 days in order to try to get the work completed. Brief discussion took place and Mr. Upchurch moved adoption of an ordinance declaring the dwellings at 105 East Edenton Street unfit to be effective February 7, 1984. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ORDINANCE NO. 1983-225

AN ORDINANCE FINDING THAT THE PROPERTY DESCRIBED HEREIN IS UNFIT FOR HUMAN HABITATION AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED UNTIL REPAIRED OR DEMOLISHED AS DIRECTED BY THE INSPECTIONS SUPERINTENDENT.

WHEREAS, the City Council of the City of Raleigh finds that the property described herein is unfit for human habitation under the provisions of Part 7, Chapter 4, Article G of the Code of the City of Raleigh, North Carolina, entitled "Housing Code," and that all of the provisions of said Article have been complied with as a condition of the adoption of this Ordinance; and

WHEREAS, said house should not be occupied until repaired to meet the requirements of the Minimum Housing Standards Ordinance, or that the same should be demolished as directed by the Inspections Superintendent, and should be placarded by placing thereon a notice prohibiting use for human habitation:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the Inspections Superintendent of the City of Raleigh be and he is hereby authorized and directed to place a sign on the building at location listed herein containing the legend: "THIS BUILDING IS UNFIT FOR HUMAN HABITATION; THE USE OR OCCUPANCY OF THIS BUILDING FOR HUMAN HABITATION IS PROHIBITED AND UNLAWFUL."

Property Owner	Location
Kenneth L. Johnson, Et al c/o Mrs. Charlotte G. Johnson, Executrix	105 East Edenton Street

Section 2. It shall be unlawful for any person to remove said placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any said building for human habitation.

Section 3. That a copy of this ordinance shall be recorded in the Office of the Register of Deeds of Wake County.

Section 4. This Ordinance shall become effective February 7, 1984.

Adopted: November 3, 1983

Effective: February 7, 1984

907 East Hargett Street - Andrew W. Fellers. No one asked to be heard. Mr. Walters moved adoption of an ordinance declaring the dwelling at 907 East Hargett Street unfit. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ORDINANCE NO. 1983-224

AN ORDINANCE FINDING THAT THE PROPERTY DESCRIBED HEREIN IS UNFIT FOR HUMAN HABITATION AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED UNTIL REPAIRED OR DEMOLISHED AS DIRECTED BY THE INSPECTIONS SUPERINTENDENT.

WHEREAS, the City Council of the City of Raleigh finds that the property described herein is unfit for human habitation under the provisions of Part 7, Chapter 4, Article G of the Code of the City of Raleigh, North Carolina, entitled "Housing Code," and that all of the provisions of said Article have been complied with as a condition of the adoption of this Ordinance; and

WHEREAS, said house should not be occupied until repaired to meet the requirements of the Minimum Housing Standards Ordinance, or that the same should be demolished as directed by the Inspections Superintendent, and should be placarded by placing thereon a notice prohibiting use for human habitation:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the Inspections Superintendent of the City of Raleigh be and he is hereby authorized and directed to place a sign on the building at location listed herein, containing the legend: "THIS BUILDING IS UNFIT FOR HUMAN HABITATION; THE USE OR OCCUPANCY OF THIS BUILDING FOR HUMAN HABITATION IS PROHIBITED AND UNLAWFUL."

Property Owner	Location
Andrews W. Fellers	907 East Hargett Street

Section 2. It shall be unlawful for any person to remove said placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any said building for human habitation.

Section 3. That a copy of this ordinance shall be recorded in the Office of the Register of Deeds of Wake County.

Section 4. This Ordinance shall become effective November 3, 1983.

Adopted: November 3, 1983

Effective: November 3, 1983

305 Freeman Street - Alice H. McNeil. Mrs. McNeil was at the meeting explaining problems she has had in trying to get the dwelling in compliance with the Code. She stated she was not getting enough rent money to make the repairs and she was actually renting the house sort as an accommodation for a person who needed a place to stay and that allowed her to keep someone in the house. She stated she only gets $90 per month rent. She stated she tried to get a loan with the Community Development Department, however, what they suggested seemed like a lot of money to pay so, therefore, she withdrew her application. She indicated she has gone back to the Community Development Department to see if they can help her pointing out she does not have the money on her salary to make the improvements. In response to questioning, Mr. Bartholomew indicated there are no major problems, however, there is a chimney that needs some repair and he would suggest that if this is referred to a committee, or whatever, that Ms. McNeil do whatever she can to repair the chimney. Brief discussion took place and Mr. Calloway moved the request at 305 Freeman Street be referred to Law and Finance Committee. His motion was seconded by Ms. Babb and passed unanimously. The Mayor ruled the motion adopted.

1312 - 1314 and 1316 Walnut Street - A. B. and Fannie Jenkins. Housing Inspections Superintendent Bartholomew requested this item be withdrawn from the Agenda as the repairs have been made by the owner. Without objection, the item was withdrawn.

STREET CONSTRUCTION - MILLBROOK ROAD - HEARING - RESOLUTION ADOPTED

This was a hearing to consider construction of a 65-foot back-to-back curbed street with 10 inches of stone base, 2½ inches of I-2 wearing surface, and necessary storm sewer known as Millbrook Road from the intersection of Atlantic Avenue east to the existing curb and gutter. Chief Engineer Thomas explained the proposal. The Mayor opened the hearing. No one asked to be heard, thus the hearing was closed. Mayor York questioned why this street is proposed at 65 feet rather than 69 feet questioning if five lanes can be accommodated on a 65-foot street. Mr. Thomas indicated five lanes can be accommodated. Mr. Upchurch moved adoption of a resolution directing the improvements as advertised. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. 1983-388

A RESOLUTION DIRECTING THAT STREET IMPROVEMENTS DESCRIBED HEREIN BE MADE AND THE COST THEREOF ASSESSED

WHEREAS, by virtue of Article 10 of Chapter 160A of the General Statutes of North Carolina, as amended, the City Council of the City of Raleigh is authorized to direct that street improvements be made and the costs thereof assessed against abutting property owners; and

WHEREAS, a preliminary resolution indicating the intent to undertake the project has been adopted by the City Council and a public hearing thereon duly held;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following improvements be made and the costs thereof assessed against the abutting property pursuant to Article 10 of Chapter 160A of the General Statutes of North Carolina:

Construction of a 65 foot back-to-back curbed street with 10 inches of stone base, 2½ inches of I-II wearing surface and necessary storm sewer on Millbrook Road from the intersection of Atlantic Avenue east to the existing curb and gutter.

Section 2. The proportion of the cost in making the aforesaid street improvements to be assessed upon an abutting property owner, to the extent that the same shall be assessable under the provisions of Resolution No. 280, as amended, shall be as follows: 100 percent of the total cost of said respective improvements which are assessable under Resolution No. 280 (i.e. one half of each street to be improved shall be assessed and charged against the lots and parcels of land abutting directly on the respective improvements, according to the extent of their respective frontage thereof by an equal rate per foot of such frontage exclusive of so much of the cost as is incurred at street intersections in improving street intersections; the remainder of the total cost including street intersections to be borne by the City of Raleigh.)

Section 3. That property abutting on the street to be improved shall be connected with water mains, sewer mains and gas mains (if gas mains are available) located in the street adjacent to their several premises in a manner as prescribed in the Plumbing Code of the City of Raleigh and the cost thereof shall be specially assessed if the particular lot or parcel of land for and in connection with which said connections are made, as provided by Article 10 of Chapter 160A of the General Statutes of North Carolina.

Adopted: November 3, 1983

STREET IMPROVEMENTS - BLAND ROAD - HEARING - RESOLUTION ADOPTED

This was a hearing to consider the installation of pavement on Bland Road east side between existing curb and gutter from Wake Forest Road westward. The hearing is pursuant to petition, advertisement, and notification as required by law. Chief Engineer Thomas indicated basically this is to fill in the missing sections of curb and gutter and pavement to 41 feet wide. He explained the location. The Mayor opened the hearing to the public. No one asked to be heard, thus the hearing was closed. Mr. Edwards moved adoption of a resolution directing the improvements as advertised. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. (1983)-389

A RESOLUTION DIRECTING THAT STREET IMPROVEMENTS DESCRIBED HEREIN BE MADE AND THE COST THEREOF ASSESSED

WHEREAS, by virtue of Article 10 of Chapter 160A of the General Statutes of North Carolina, as amended, the City Council of the City of Raleigh is authorized to direct that street improvements be made and the costs thereof assessed against abutting property owners; and

WHEREAS, a preliminary resolution indicating the intent to undertake the project has been adopted by the City Council and a public hearing thereon duly held;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following improvements be made and the costs thereof assessed against the abutting property pursuant to Article 10 of Chapter 160A of the General Statutes of North Carolina:

Installation of curbs, gutter and drain between existing curb and gutter on Bland Road, east side, beginning at Wake Forest Road according to Petition #936, dated June 9, 1983.

Section 2. The proportion of the cost in making the aforesaid street improvements to be assessed upon an abutting property owner, to the extent that the same shall be assessable under the provisions of Resolution No. 280, as amended, shall be as follows: 100 percent of the total cost of said respective improvements which are assessable under Resolution No. 280 (i.e. one half of each street to be improved shall be assessed and charged against the lots and parcels of land abutting directly on the respective improvements, according to the extent of their respective frontage thereof by an equal rate per foot of such frontage exclusive of so much of the cost as is incurred at street intersections in improving street intersections; the remainder of the total cost including street intersections to be borne by the City of Raleigh.)

Section 3. That property abutting on the street to be improved shall be connected with water mains, sewer mains and gas mains (if gas mains are available) located in the street adjacent to their several premises in a manner as prescribed in the Plumbing Code of the City of Raleigh and the cost thereof shall be specially assessed if the particular lot or parcel of land for and in connection with which said connections are made, as provided by Article 10 of Chapter 160A of the General Statutes of North Carolina.

Adopted: 11/3/83

PAVING AR 684 - ROSE LANE - HEARING - RESOLUTION ADOPTED; ADMINISTRATION TO CORRECT SEEDING PROBLEM

This was a hearing to consider adoption of a resolution confirming the charges outlined in paving Assessment Roll 684 according to charges outlined in Resolution 1983 - 359 adopted on October 4, 1983. Chief Engineer Thomas explained the improvements that have been completed. The Mayor opened the hearing. Mr. Hayes indicated his concern is that after the street improvements were made, the contractor came in and put some grass seed on the shoulder of the road but it has washed away. He questioned if he could get the grass seed replanted and the grading work fixed up.

No one else asked to be heard, thus the hearing was closed. Mr. Walters moved approval of the charges as outlined subject to Administration correcting Mr. Hayes' problem. His motion was seconded by Mr. Calloway and put to a vote which resulted in all members voting in the affirmative.

Later in the meeting City Attorney McCormick indicated this motion causes some problem in that it would be hard to determine when the problem is corrected. Brief discussion took place and Mr. Walters moved that the original action be rescinded and that Paving Assessment Roll 684 be confirmed and Administration directed to correct Mr. Hayes' problem. This motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted and the roll confirmed at 7:59 p.m.

RESOLUTION NO. 1983-390

A RESOLUTION CONFIRMING SPECIAL PAVING ASSESSMENT ROLL NO. 684 AND WATER ASSESSMENT ROLL NO. 1000

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That pursuant to notice of the completion of the assessment roll and notice of the meeting of the City Council hereinafter referred to, published according to law in The Raleigh Times, a newspaper legally qualified to publish legal advertising, and following a public hearing of allegations and objections of all interested persons appearing and making proof in relation thereto at a meeting of the City Council for that purpose held on the 3rd day of November, 1983, at the time and place fixed in accordance with statute, the City Council of the City of Raleigh does hereby approve, ratify and confirm the assessments heretofore made by Resolution Nos. 1983-359 and 360 adopted on the 4th day of October, 1983, which assessments appear on "The City of Raleigh Special Paving Assessment Roll No. 684 and Water Assessment Roll No. 1000," against the lots and parcels of land abutting directly on the improvements, according to the extent of their respective frontage thereon, all as shown on said assessment roll which is hereby incorporated into and made a part of this resolution by reference thereto, the assessment roll being on file in the office of the City Clerk and Treasurer.

Section 2. That from the time of the adoption of this resolution confirming the said assessments, the assessments embraced in the aforesaid assessment roll shall be a lien on the real estate against which the same are assessed as provided by Statute.

Section 3. That the terms and manner of the payment of the assessments herein provided for shall be as follows: That said assessment shall be payable in cash, or if any property owner should so elect and give notice of the fact in writing to the City of Raleigh in accordance with provisions of Article 10 of Chapter 160A of the General Statutes of North Carolina, such property owner shall have the option and privilege of paying the assessments in ten equal annual installments, such installments to bear interest at the rate of 6% per annum from the date of confirmation of the assessment rolls payable annually upon the unpaid balance of the assessment.

Section 4. That the assessments confirmed by this resolution and all payments of principal and interest thereof, shall be recorded in "The City of Raleigh Special Assessment Book" which shall be maintained and kept by the City Revenue Collector, who is hereby charged with the duty of collecting and accounting for all sums of principal and interest assessed by this resolution.

Adopted: November 3, 1983

WATER ASSESSMENT ROLL 1000 - CREECH ROAD - HEARING - RESOLUTION ADOPTED

This was a hearing to consider adoption of a resolution confirming charges for the water main installation on Creech Road according to charges outlined in Resolution 1983 - 360 adopted on October 4, 1983. Chief Engineer Thomas explained the location of the project. The hearing was opened to the public. No one asked to be heard, thus the hearing was closed. Mr. Calloway moved adoption of a resolution confirming the charges as outlined. His motion was seconded by Mr. Keller and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted and the roll confirmed at 8:00 p.m. See Resolution 390.

WATER ASSESSMENT ROLL 985 - SANDY FORKS ROAD - CORRECTING RESOLUTION ADOPTED

This was a hearing to consider adopting a resolution correcting Water Assessment Roll 985 to the end that the assessment of $1,820.60 against Lot No. 5 will be in the name of Eckerds' Drugs of North Carolina, Inc. The Mayor opened the hearing. No one asked to be heard, thus the hearing was closed. Mr. Upchurch moved adoption of the correcting resolution as outlined. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted at 8:01 p.m.

RESOLUTION NO. (1983) 391

A RESOLUTION TO CORRECT WATER ASSESSMENT ROLL 985, SANDY FORKS ROAD.

WHEREAS, by Resolution No. 1982-48, adopted 10-5-82, the City Council confirmed Special Water Assessment Roll 985.

WHEREAS, on the map attached to said assessment roll Lot 5 was shown as being the property of S. Allan Luihn & et al.

WHEREAS, the City Council now finds that Lot 5, was, at the time of confirmation of the assessment roll, the property of Eckerd Drugs of N.C., Inc., and that the assessment should be corrected accordingly, as permitted by GS 160A-2228: NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Water Assessment Roll 985 be and the same is hereby corrected, and the assessment against Lot 5 is made against Eckerd Drugs of N.C., Inc.

Section 2. That the Revenue Collector is authorized and directed to correct the tax records by making appropriate entries thereon.

Adopted: November 3, 1983

Eckerd Drugs of N.C., Inc.
PO Box 4689
Clearwater, FL 33518

Amount: $1,820.60

ELECTIONS - INFORMATION RECEIVED

The City Clerk presented Council Members with a copy of the official election returns from the general Municipal election held on October 11, 1983. The report was received as information and will become a part of the permanent record.

JOINT HEARING BEFORE THE CITY COUNCIL AND THE PLANNING COMMISSION

The City Council went into a joint hearing with the Planning Commission to consider two text changes at 8:10 p.m. Members of the Planning Commission present included Mr. Woodlief, Mr. McNeely, Mr. Worth, Mr. Williams, Mr. Safran, Mr. Rice, and Mrs. Ridgeway. The Mayor presided and the following items were heard.

COMPREHENSIVE PLAN - HEARING TO CONSIDER ECONOMIC DEVELOPMENT ELEMENT - REFERRED TO THE PLANNING COMMISSION

Planning Director Chapman explained that this is a proposal that the Comprehensive Plan of the City of Raleigh be amended by adding an economic development strategy for the City of Raleigh. He explained a copy of the proposed amendment has been available for inspection in the Planning Department and the City Clerk's office. He pointed out this is the result of the work of the Raleigh Tomorrow Task Force and forum. He explained Council Members had received policy and strategy recommendations as well as a resolution to amend the Comprehensive Plan by adopting an economic development element. He indicated that resolution would be the item on which the City Council would act following this hearing and following the recommendation of the Planning Commission. Utilizing a slide presentation, Mr. Chapman went through the background information, proposed policy and the ten implementing strategies which include: economic development focus, fiscal impact systems, targeted approach, work force development and training, revenue sources, public/private partnership, venture capital, cultural opportunities, equitable relationship with State Government and education and research. Mr. Chapman read Section A of the proposed resolution and detailed the ten implementing strategies. The Mayor opened the hearing to the public.

Bill Mullins, 7104 North Ridge Drive, indicated he was a member of the Task Force and Chairman of Subcommittee B. He indicated his work on the Task Force convinced him of the necessity or the need to adopt this economic development amendment to the Comprehensive Plan. Mr. Mullins spoke in support of the plan in general and spoke specifically to the economic development focus and impact systems to forecast cost and revenue trends of different types of development and different levels of services. He explained how these two implementing strategies would work and why they are needed.

Chuck Wachtel, 1703 St. Mary's Street, indicated he, too, had the opportunity of serving on the Task Force and was Chairman of Subcommittee C. He spoke in support of the adoption of the plan as presented and spoke specifically to the targeted approach and work force development and training implementing strategies. He explained the purpose and need of these particular two strategies.

Perry Safran, 420 Chester Road, indicated he was a member of the Task Force and Chairman of Subcommittee A. He spoke in support of adoption of the economic development element of the Comprehensive Plan as presented and spoke specifically of strategy relating to equitable relationship with State Government and told of the work of their Committee and urged support of the economic development element. Hal McNeely indicated he, too, was a member of the Raleigh Tomorrow Task Force and Chairman of Subcommittee D. He indicated his subcommittee dealt basically with financing governmental services pointing out that this went into many of the things the other committees worked on. He stated they tried to focus on the effect of the new federalism and look at other ways to make do with the budget and find other sources of revenue. He indicated their committee felt it was necessary to adopt the economic development element and would urge the Council to do so and increase fiscal help.

Ben Taylor gave a brief history of the development of the Comprehensive Plan pointing out there was some unfinished business when the original plan was adopted and the inclusion of an economic development element was one of those pieces of unfinished business. He urged the Council to adopt the economic development element pointing out that is a step in the right direction but we will never be finished with our work on the Comprehensive Plan. He stated a lot of work has gone into the economic development element as well as the Comprehensive Plan in general and he feels that adoption of this element will be a major milestone but pointed out we need to continue working.

Carol Bunn, 767 Weathergreen Drive, indicated she, too, was a member of the Raleigh Tomorrow Task Force. She stated she presently resides in Raleigh's ETJ. She indicated she provided a grass roots perspective pointing out she has a strong interest in making sure that Raleigh is in sound fiscal health and grows the best way possible. She urged the Council to consider this element in a positive light.

Eleanor Weinel, 213 Oberlin Road, was at the meeting representing the RCAC. She indicated they had considered the economic development strategy at two separate meetings and she was at the meeting tonight to present the Council with two documents. One is a summary of responses on the ten strategies. The second document was an amended version of the supporting document entitled, "An Economic Development Strategy for the City of Raleigh" marked with the revisions proposed by the RCAC dated November 3, 1983. She indicated she would present this and it is intended to record their objections and suggestions on specific items. She indicated, as a general statement, they acknowledge the need to plan and appreciate the efforts that have been undertaken but they feel it is essential that the impact of the proposed strategy on individuals be considered as well. Melvin Whitley indicated he was at the meeting to praise Caesar pointing out he feels that the work of the Task Force and the recommendations is a great service for the citizens of Raleigh. He indicated they support the document in full and particularly applaud the targeted approach. He indicated something he feels is written between the lines is the need and the necessity of bringing the Wake Tech satellite campus into the City Limits of Raleigh. He stated he feels that would be a great plus. He stated the public/private partnership suggestions includes great ideas that have served others well. He indicated his Association would suggest that the City Council work hard to bring shopping to the downtown Raleigh area. He indicated he feels the dredging of Walnut Creek is a necessity and indicated he feels that the City should support the motel/hotel tax and enjoy the advantages of those dollars coming into the City. He stated, in general, he was at the meeting to praise the work of the Task Force and urge adoption of the economic development element. No one else asked to be heard, thus the hearing was closed.

Ms. Babb indicated she had quickly glanced through the RCAC's comments and she feels that most of the points they have raised are things that are in the proposal in the back-up document. She indicated that the work of this committee was to develop an economic policy to insure the long-term fiscal strength of the City. She stated she feels this needs to be adopted but, in addition, she feels that we need something to compliment this such as an environmental policy. She indicated she believes there is support for going along with Phase II of the Raleigh Tomorrow Task Force which would be consideration of an environmental element. Ms. Babb expressed appreciation to all of the Task Force members pointing out they had worked long and hard and have, in her opinion, come out with good recommendations. She indicated she sees this as the beginning of strategic planning for Raleigh. Mayor York commended Ms. Babb and Mr. Keller and all members of the Task Force. He stated he, too, would endorse the concept of Phase II effort to consider an environmental element to the Comprehensive Plan. Mayor York stated the item would be referred to the Planning Commission and he would ask the Planning Commission to study the proposal and, hopefully, report back to the City Council at the next meeting in a positive light.

DOWNTOWN EAST/EAST SIDE REDEVELOPMENT PLAN - HEARING - REFERRED TO THE COMPREHENSIVE PLANNING COMMITTEE

Mayor York indicated even though this item was advertised as a joint hearing with the Planning Commission, that it is incorrect. He stated the Planning Commission has already reviewed this item and will be making a recommendation back to the full Council. He invited Planning Commission members to stay through the presentation and hearing.

Planner Betts indicated this is the final step for adoption of the Downtown East/East Side Redevelopment Plan. He presented sketches, maps, etc. showing the boundaries, type of existing land use, houses and properties that would be acquired, houses that would remain in their present use, property acquisition plan, land use plan, preliminary site plan, public improvements plan which includes street trees, landscaping, etc. Mr. Betts explained the proposed plan in detail. He pointed out that there is no rezoning in the site proposed pointing out this is a change from the draft that was shown to the Planning Commission, therefore, the site would remain zoned O&I-II. He stated, however, the use of the property under this proposal would be subject to restricted uses or restrictive covenants as it is suggested that the property only be used for residential or office uses explaining other uses would not be allowed and this is a major change from the draft shown to the Planning Commission and the property owners. Mr. Betts explained the estimated cost of the redevelopment activities to be undertaken in the project area are a total of $1,593,776. Utilizing charts available at the meeting and in the preliminary draft of the plan, he gave the breakdown of these costs. He indicated the source of funding for the redevelopment costs would be $500,000 from 83-84 CD Block Grants; $500,000 from 84-85 CD Block Grant; and $593,776 during the years 1983 through 1985 from program income. Mayor York questioned if the surface parking lot at the Federal Building will be acquired and, if so, how? Planner Betts indicated the surface parking at the Federal Building is privately owned and we would have to find some way to provide a 175 spaces in the area. In response to questioning from Mr. Calloway, Mr. Betts indicated there would be three units that would be purchased outright and the tenants moved or relocated under this proposal. The Mayor opened the hearing to the public.

Richard Gusler, representing Reentry, Inc., indicated if this plan is approved, the current use of their property will not be allowed. He indicated Reentry, Inc. has been located at its present facility since 1976. He explained that they operate a community treatment for men released from Federal prison and explained the program in detail. He stated he is unaware of any problems or complaints from the neighbors and they would just like an opportunity to stay where they are now located. He gave a lengthy presentation on the work of Reentry, Inc., clients, etc. He indicated they are willing to upgrade their building but they would just like to continue operating their present program in the present facility. A number of people representing Reentry, Inc. spoke in support of the program explaining the merits of this program and its value to the community. Included in those speakers was the President of the Board of Directors who resides at 300 North Hills Drive; George Basen, 3607 Alamance Drive, a member of the Board of Directors; Gus Anderson, Jr., 2717 Van Dyke Avenue; each explaining the work of Reentry, Inc. and the merits of leaving it in its present location. Mr. Anderson indicated he was in the process of acquiring a house in Oakwood and he was not aware of the amendment to eliminate group home facilities as an allowed use. He indicated he felt that this would set a bad precedent as there is a valid need for group care and group home facilities and they provide a very valuable service. He indicated he understands the need to retain the character of the neighborhood and he feels that Reentry, Inc. would be a valuable asset to that neighborhood. He stated group homes can co-exist with neighborhoods. No one else asked to be heard, thus the hearing was closed.

Council Members questioned why there was a proposal to restrict this use and prohibit group care facilities in this area. This was discussed briefly with various Council Members indicating they felt that eliminating or prohibiting group care facilities in this area would be a bad precedent and something they could not vote for. Brief discussion took place and Mr. Edwards moved that this item be referred to the Comprehensive Planning Committee for further study. His motion was seconded by Mr. Calloway and put to a vote which passed unanimously.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:40 p.m.

Gail G. Smith
City Clerk

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